

**DEPARTMENT OF BUILDING AND DEVELOPMENT**

**COUNTY OF LOUDOUN**

**MEMORANDUM**

DATE: December 19, 2005

TO: Jason Rogers, Planning Project Manager

FROM: Laura Edmonds, Environmental Engineer

THROUGH: William Marsh, Environmental Review Team Leader

CC: Melanie Wellman, Community Planner

**SUBJECT: ZMAP-2005-0024 Belmont Overlook**

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The Environmental Review Team (ERT) reviewed the subject application during the September 27, 2005, ERT meeting. Our comments pertaining to the current application are as follows:

*Regarding waters and wetlands*

- 1) Jurisdictional streams and wetlands are not identified on the plan. However, based upon the Loudoun County Wetlands Model, it appears that a concerted effort has been made to avoid streams and wetlands within the development layout. The jurisdictional wetland delineation confirming the location of all jurisdictional waters and wetlands must be provided on the Concept Development Plan (CDP) or a corresponding Land Use Map to ensure that the development layout meets the avoidance and minimization criteria of Section 404 of the Clean Water Act and Section 9VAC25-210-115A of the Virginia Water Protection Permit Regulations.
- 2) Staff notes that the proposed development is located in close proximity to adjacent stream and wetland areas in several locations. Most notably, a retaining wall is tentatively planned adjacent to the stream located on the North side of Alford Road. In addition, due to the proximity of the townhouses to the stream corridor, there is a potential for encroachment within the townhouse development layout on the South side of Alford Road. Staff recommends that a minimum 50-foot buffer be provided surrounding all jurisdictional waters and wetlands to ensure that these areas will not be disturbed by adjacent development. Staff further recommends that these riparian buffers be depicted on the CDP and that a proffer be provided establishing that they will be preserved in their natural state. It is imperative that these forested stream corridors, which are tributaries to the Beaverdam Reservoir, are preserved in order to minimize the impact of the proposed rezoning on water quality.

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*Regarding the Beaverdam Reservoir*

- 3) The CDP currently depicts the 300-foot buffer required adjacent to Beaverdam Reservoir by Surface Water Policy #10 on Page 5-17 of the Revised General Plan. In addition, FSM 5.320.H requires a minimum 300-foot separation from the edge of the reservoir to any land disturbing activity. Given the proximity of portions of the development layout to the required 300-foot buffer, it appears that land disturbance may be proposed within the required buffer. The development layout should be revised as needed to ensure that land disturbance within the 300-foot buffer will be avoided.
- 4) Community Design Policy # 13.b on Page 8-7 of the Revised General Plan recommends that the 300-foot riparian buffer be extended to provide a 1,000-foot voluntary buffer along the Beaverdam Reservoir. Staff notes that approximately half of the recommended 1,000-foot buffer adjacent to the Beaverdam Reservoir on this property is currently forested. Therefore, staff recommends that the development layout be revised to incorporate half of the recommended buffer (approximately 500 feet) to preserve the existing forested buffer adjacent to Beaverdam Reservoir. Staff further recommends that the riparian buffer be depicted on the CDP and that a proffer be provided establishing that the buffer will be preserved in its natural state. Staff notes that expansion of the required 300-foot riparian buffer adjacent to the reservoir will facilitate the preservation of existing forest cover, which is imperative to minimizing the effect of the proposed rezoning on water quality.

*Regarding Forest Resources*

- 5) Staff recommends that forested Open Space areas, particularly forested riparian corridors, the forested buffer adjacent to the Beaverdam Reservoir, and forested perimeter buffers, be designated as Tree Conservation Areas to ensure the preservation of these areas and their benefits to water quality. Staff further recommends that a proffer be provided to support tree preservation within these areas incorporating the sample proffer language provided as an attachment to this referral.
- 6) Staff recommends that a proffer be provided indicating that the Pine and Cedar trees located within areas to be cleared on the property will be harvested (e.g., for pulpwood) rather than being destroyed.

*Regarding Stormwater Management and Water Quality*

- 7) Please indicate the type of Stormwater Management (SWM)/Best Management Practice (BMP) facilities proposed in the Southern portion of the site on the CDP consistent with Item K.4. of the Rezoning Checklist.
- 8) Staff notes that several wet ponds are proposed to meet BMP requirements on the Northern portion of the site. Due to the proximity of the proposed development to the

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Beaverdam Reservoir, staff recommends that a proffer be provided committing to the implementation of the wet ponds shown on the CDP and additional BMP measures, including oil/grit separators, or other manufactured BMPs to filter oil and grease from stormwater runoff, marking storm drains to prevent illicit discharges, and placing criteria restricting the use of fertilizer and pesticides within the Homeowner's Association Covenants. In addition, staff recommends that the applicant proffer to implement the water quality protection tools outlined in Loudoun County Sanitation Authority's Goose Creek Source Water Protection Program document, "Source Water Protection Tools," published in December 2003. Table 4.1 (Volume I) of the referenced document summarizes appropriate erosion and sediment control and BMPs to be implemented within the watershed that should be specifically referenced in the subject proffer, including the following:

- Double (or increase) the storage volume of all temporary sediment traps and basins.
- Require BMP coverage for at least 80 percent of the development site.
- Discourage the use of dry ponds and encourage the use of low-impact development.

*Regarding Archeological Resources*

- 9) Please depict and label the archeological sites identified in the Phase 1 Study on the Existing Conditions Plat to facilitate staff review and analysis of this information. In addition, please identify any archeological sites to be preserved on the CDP.

*Regarding Digital Data*

- 10) The County is embarking on a project to map and inventory wetlands and cultural resources located within Loudoun County. We are requesting that the engineering community contribute digital data to this effort. Specifically, two separate digital data layers are requested, one depicting the Corps-approved wetland delineation (including jurisdictional wetlands and waters) and the other locating the sites identified in the Phase 1 Archeological Survey. Loudoun County's GIS uses ESRI software and can import .DXF data. Our coordinate system is Virginia State Plane. Datum NAD 83 data is preferable if available. Documentation on the digital data (e.g., map scale, age, etc) would be helpful. The requested information is currently depicted in the rezoning application, however, if this information cannot be provided prior to approval of the rezoning application, staff recommends that a proffer be provided indicating when this information will be submitted to the County.

Please contact me if you need any additional information as you complete your review of the current application.

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### **Sample Tree Conservation Area Proffer**

Tree Conservation Areas. Within the areas identified on the Concept Development Plan (CDP) as "Tree Conservation Areas," the Owner shall preserve healthy trees provided, however, that trees may be removed to the extent necessary for the construction of trails and Stormwater Management Facilities that are required pursuant to the proffers and/or shown on the approved construction plans and profiles as lying within such Tree Conservation Areas and for the construction of utilities necessary for development of the Property. A minimum of eighty (80) percent of the canopy within the cumulative Tree Conservation Area depicted on the CDP will be preserved, exclusive of stands of Virginia Pine over 25 years in age. In the event that the eighty (80) percent canopy threshold cannot be achieved within the designated Tree Conservation Areas, such lost canopy will be recaptured elsewhere onsite in locations to be designated at the discretion of the Owner in consultation with the County. Boundaries of all Tree Conservation Areas shall be delineated on the record plat recorded for each section of the development.

If, during construction on the Property, it is determined by the Owner's certified arborist and/or the County that any healthy tree located within the boundaries of any of the Tree Conservation Areas described in this proffer has been damaged during construction and will not survive, then, prior to bond release on any section containing or immediately adjacent to a tree conservation area, the Owner shall remove each such tree and replace each such tree with two (2) 2½ - 3 inch caliper native, non-invasive deciduous trees. The placement of the replacement trees shall be proximate to the area of each such damaged tree so removed, or in another area as requested by the County.

The HOA documents shall include a provision that prohibits removal of trees in Tree Conservation Areas as shown on the record plat after construction has been completed by the Owner without specific permission of the County Forester except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability of the canopy. Such Management Techniques may include, without limitation, pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The HOA documents shall clearly state that such provisions prohibiting tree removal shall not be amended by the Owner or the HOA without written approval from the County. The record plat for each portion of the Property containing a Tree Conservation Area shall contain a note stating that the removal of trees within a Tree Conservation Area is prohibited except in accordance with the Declaration of Covenants.

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DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: February 5, 2007

TO: Mike Elabarger, Planning Project Manager

FROM: Laura Edmonds, Environmental Engineer *LEE*

THROUGH: William Marsh, Environmental Review Team Leader *WM*

CC: Melanie Wellman, Community Planner

SUBJECT: ZMAP-2005-0024 Belmont Overlook – *1ST REFERRAL REACTIVATION*

The Environmental Review Team (ERT) reviewed the subject application during the January 9, 2007, ERT meeting and visited the site on January 10, 2007. Staff notes that many of the comments outlined in the first referral have not been addressed. Our comments pertaining to the application are as follows:

*Regarding Waters and Wetlands*

- 1) The location of jurisdictional waters and wetlands confirmed by the Army Corps of Engineers has been added to the Concept Development Plan (CDP). Please add the following note to the Cover Sheet "Jurisdictional waters and wetlands depicted on the plan were delineated by Wetlands Studies and Solutions and confirmed by Army Corps of Engineers JD #05-R0894, issued on April 7, 2005."
- 2) The site contains 1.14 acres of wetlands and 820 linear feet of stream. While the location of these features has been considered in the development layout, impacts are proposed in two locations to facilitate the construction of Best Management Practices (BMPs). The Army Corps of Engineers has indicated that opportunities to relocate these facilities outside of jurisdictional areas must be explored consistent with the avoidance and minimization criteria of Section 404 of the Clean Water Act and Section 9VAC25-210-115A of the Virginia Water Protection Permit Regulations.
- 3) Staff recommends that a 50-foot buffer be preserved adjacent to all jurisdictional waters and wetlands to minimize the effects of the proposed development on jurisdictional features. Of particular concern are the residential lots located immediately adjacent to an area of forested wetlands south of Alford Road. While the forested wetlands are designated as Tree Conservation Areas, development within the critical root zone of trees in this area may result impacts to the wetland.

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Furthermore, the proximity of the proposed lots to areas subject to prolonged wetness has been the subject of frequent citizen complaints.

*Regarding the Beaverdam Reservoir*

- 4) Community Design Policy # 13.b on Page 8-7 of the Revised General Plan recommends that the 300-foot riparian buffer be extended to provide a 1,000-foot voluntary buffer along the Beaverdam Reservoir. Staff notes that approximately half of the recommended 1,000-foot buffer adjacent to the reservoir is currently forested. The County Arborist has visited the site and determined that the tree canopy in this area is worthy of preservation. Therefore, staff recommends that the development layout be revised to preserve a 500-foot forested buffer adjacent to Beaverdam Reservoir. Staff further recommends that the preserved buffer be included within the designated Tree Conservation Area. Staff notes that preservation of existing forest cover adjacent to the reservoir is imperative to minimizing the effect of the proposed rezoning on water quality.

*Regarding Forest Resources*

- 5) Tree Conservation Areas have been designated on the CDP and are addressed in the Tree Conservation Areas proffer; however, the language included in the proffer is not consistent with the suggested language approved by the County Arborist (see attachment). The current proffer does not outline a minimum area to be preserved (e.g., 80 percent). In addition, the Tree Protection methods outlined in the proffer are not as stringent as the County Erosion and Sediment Control Ordinance requirements (super silt fence is required surrounding Tree Conservation Areas) and will be outlined in the required Tree Conservation Plan. Therefore, staff recommends that the current proffer language be replaced with the attached Sample Tree Conservation Area Language, consistent with other recently approved rezoning applications (e.g., ZMAP-2005-0013 Marbury, approved September 5, 2006).
- 6) Staff notes that there are opportunities to preserve additional forest cover in the vicinity of Lots 137 -145 by using existing vegetation to meet buffer requirements. Therefore, staff requests that this area be added to the designated Tree Conservation Areas.
- 7) The applicant indicated that disposition of trees within areas to be cleared has not yet been determined. However, staff recommends that a commitment be provided indicating that the Pine and Cedar trees located within areas to be cleared on the property will be harvested (e.g., for pulpwood) rather than being destroyed.

*Regarding Stormwater Management and Water Quality*

- 8) Due to the proximity of the project to the Beaverdam Reservoir, staff recommends that a commitment be provided to implement the water quality protection tools

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identified in Loudoun County Sanitation Authority's Goose Creek Source Water Protection Program document, "Source Water Protection Tools," published in December 2003, including the following:

1. the use of wet ponds, enhanced extended detention facilities, or constructed wetlands, as opposed to dry ponds,
2. additional BMP measures, including oil/grit separators, or other manufactured BMPs to filter oil and grease from stormwater runoff,
3. marking storm drains to prevent illicit discharges,
4. placing criteria restricting the use of fertilizer and pesticides within the Homeowner's Association Covenants, and
5. doubling the storage volume of all temporary sediment traps and basins (or increasing the volume where doubling is not feasible due to the presence of jurisdictional waters and wetlands).

Staff notes that several approved rezoning applications located within 5 miles upstream of the Goose Creek intake have incorporated similar proffer commitments (see attached Sample Water Quality Protection Language):

- ZMAP-2002-0009 Goose Creek Preserve, approved July 6, 2004
- ZMAP-2004-0006 Belmont Glen – Rouse Property, approved June 15, 2004
- ZMAP-2003-0008 Goose Creek Village North, approved July 19, 2005
- ZMAP-2003-0009 Goose Creek Village South, approved October 19, 2004

Staff recommends that the previously adopted proffers be used in lieu of the Storm Water Management proffer currently provided, with the exception of the commitment to "provide over-sized silt ponds and super silt fence during development of the property," which should be retained.

#### *Regarding Noise Impacts*

- 9) Staff acknowledges the Noise Impact Study proffer provided due to the proximity of the proposed development to Belmont Ridge Road, which is a planned minor arterial, six-lane, median divided roadway. However, staff notes that the Zoning Ordinance noise standards do not address highway noise. The County's adopted Noise Abatement Criteria are outlined in the Revised Countywide Transportation Plan. Therefore, staff recommends the following modifications to the proposed proffer, consistent with other previously approved Noise Impact Study proffers (e.g., ZMAP-2004-0008 Frontier Spring, approved July 12, 2005):

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"The Owner will provide a noise impact study to the County that will determine the need for any additional buffering and noise attenuation measures along the Route 659 frontage of the Property. The noise impact study shall address the noise generated by the traffic from Route 659 at the time of build-out of the Property and when Route 659 is built to its planned six-lane configuration. This noise impact study will be conducted by a certified professional engineering firm and submitted to the County concurrently with the first site plan or ~~record subdivision plan (not preliminary subdivision plan)~~ **preliminary subdivision plat**, whichever is first in time. If it is determined **by County staff** that the noise impacts will exceed the ~~noise performance standards contained in Section 5-1507 of the Zoning Ordinance~~ **noise abatement criteria specified in the Revised Countywide Transportation Plan**, the Owner will provide buffers, berms, fencing, or other such noise attenuation measures along Route 659 sufficient to mitigate the noise impact from this roadway prior to the issuance of occupancy permits for any dwelling units impacted by the noise levels."

*Regarding Digital Data*

- 10) The applicant indicated that they are pursuing our request for digital wetland and cultural resources data. The requested information is currently depicted in the rezoning application; however, if this information cannot be provided prior to approval of the rezoning application, staff recommends that a commitment be provided indicating that the digital files will be submitted in conjunction with the first site plan or preliminary subdivision plat.

Please contact me if you need any additional information as you complete your review of the application.

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### **Sample Tree Conservation Area Language**

Tree Conservation Areas. Within the areas identified on the Concept Development Plan (CDP) as "Tree Conservation Areas," the Owner shall preserve healthy trees provided, however, that trees may be removed to the extent necessary for the construction of trails and Stormwater Management Facilities that are required pursuant to the proffers and/or shown on the approved construction plans and profiles as lying within such Tree Conservation Areas and for the construction of utilities necessary for development of the Property. A minimum of eighty (80) percent of the canopy within the cumulative Tree Conservation Area depicted on the CDP will be preserved, exclusive of stands of Virginia Pine over 25 years in age. In the event that the eighty (80) percent canopy threshold cannot be achieved within the designated Tree Conservation Areas, such lost canopy will be recaptured elsewhere onsite in locations to be designated at the discretion of the Owner in consultation with the County. Boundaries of all Tree Conservation Areas shall be delineated on the record plat recorded for each section of the development.

If, during construction on the Property, it is determined by the Owner's certified arborist and/or the County that any healthy tree located within the boundaries of any of the Tree Conservation Areas described in this proffer has been damaged during construction and will not survive, then, prior to bond release on any section containing or immediately adjacent to a tree conservation area, the Owner shall remove each such tree and replace each such tree with two (2) 2½ - 3 inch caliper native, non-invasive deciduous trees. The placement of the replacement trees shall be proximate to the area of each such damaged tree so removed, or in another area as requested by the County.

The HOA documents shall include a provision that prohibits removal of trees in Tree Conservation Areas as shown on the record plat after construction has been completed by the Owner without specific permission of the County Forester except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability of the canopy. Such Management Techniques may include, without limitation, pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The HOA documents shall clearly state that such provisions prohibiting tree removal shall not be amended by the Owner or the HOA without written approval from the County. The record plat for each portion of the Property containing a Tree Conservation Area shall contain a note stating that the removal of trees within a Tree Conservation Area is prohibited except in accordance with the Declaration of Covenants.

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### **Sample Water Quality Protection Language**

1. Stormwater Management/Best Management Practices constructed on the property shall include only wet ponds, enhanced extended detention ponds, constructed wetlands, and/or bioretention. Dry ponds may be used only if the County does not approve any of the other types of stormwater management ponds listed above.
2. All storm drainage inlet structures on the Property shall be marked to indicate that they drain to Goose Creek and that no dumping into such inlet structures is permitted. The Homeowners Association (the "HOA", as described below in Proffer VII) documents shall include provisions requiring the HOA to maintain such markings. In addition to the implementation of low impact design and BMPs described above, covenants in HOA documents shall restrict the use of pesticides, herbicides and fertilizers to those materials which have rapid decomposition characteristics and are labeled safe for aquatic use.
3. At the time of property settlement, all prospective purchasers and all contract purchasers of homes constructed on the Property shall be provided with information regarding property owner management practices that will protect water quality. This documentation will incorporate a statement that it is unlawful to dispose of petroleum products in the storm drainage system, will include information regarding safe disposal of petroleum products and will educate property owners in the use of organic fertilizers, pesticides and insecticides in maintaining their private landscaping.

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**DEPARTMENT OF BUILDING AND DEVELOPMENT**

**COUNTY OF LOUDOUN**

**MEMORANDUM**

DATE: November 29, 2007  
TO: Mike Elabarger, Planning Project Manager  
FROM: Laura Edmonds, Environmental Engineer  
THROUGH: William Marsh, Environmental Review Team Leader  
CC: Pat Giglio, Community Planner

**SUBJECT: ZMAP-2005-0024 Belmont Overlook – 3rd**

The Environmental Review Team (ERT) has reviewed the above-referenced application. Staff notes that many of the comments outlined in previous referrals have not been addressed. Our comments pertaining to the application are as follows:

*Regarding Water Quality and the Beaverdam Reservoir*

- 1) Given the proximity of the proposed project to the Beaverdam Reservoir, staff recommends the following measures to minimize the effect of the proposed rezoning on water quality as required by Section 6-1211.E.9 of the Revised 1993 Loudoun County Zoning Ordinance:
  - Expansion of the 300-foot buffer required by the Loudoun County Facilities Standards Manual (FSM 5.320.H.) to 500 feet. Community Design Policy # 13.b on Page 8-7 of the Revised General Plan recommends that the 300-foot riparian buffer be extended to provide a 1,000-foot voluntary buffer along the Beaverdam Reservoir. Staff notes that approximately half of the recommended 1,000-foot buffer adjacent to the reservoir is currently forested. The County Urban Forester has visited the site and determined that the tree canopy in this area is worthy of preservation. Therefore, staff recommends that the undisturbed buffer be expanded from 300 to 500 feet to facilitate the preservation of the forested riparian buffer adjacent to the Beaverdam Reservoir. Staff further recommends that the preserved buffer be included within the designated Tree Conservation Area. Staff notes that potential modifications to proposed housing types could facilitate preservation of this buffer, while maintaining density.
  - Staff recommends that the proposed Best Management Practice (BMP) Wet/Dry Pond located within the recommended 500-foot buffer be removed and replaced with other BMP treatment measures (e.g. manufactured BMPs) to avoid removal of forest cover within the riparian buffer adjacent to the Beaverdam Reservoir. Staff notes that representatives of the Army Corps of Engineers and the Virginia Department of Environmental Quality have indicated that this pond is online with jurisdictional wetlands and will need to be relocated.

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- Staff recommends that a 50-foot buffer be preserved surrounding the forested wetland on the South side of Alford Road in the vicinity of Lots 130-140 to minimize the effects of the proposed development on jurisdictional features. Preservation of a forested riparian buffer surrounding this area will ensure preservation of the forested wetland and will provide greater separation to lots to reduce concerns regarding proximity to areas subject to prolonged wetness.
- Staff recommends that Proffer VII.B (Stormwater Management) be revised to include a commitment ensuring that all proposed Stormwater Management/Best Management Practice ponds will be constructed as enhanced extended detention facilities or wet ponds, consistent with the recommendations of the Loudoun County Sanitation Authority's Goose Creek Source Water Protection Program document, "Source Water Protection Tools," published in December 2003, as follows:

"The Applicant agrees to construct all Stormwater Management ponds as enhanced extended detention ponds or wet ponds. In addition, the Applicant shall implement low impact development (LID) measures at the Property. The Applicant shall work with the County to implement those LID measures deemed likely to be effective on the Property, based on constraints of the Property. Applicable LID measures will be designed and implemented in accordance with the adopted provisions of the Facilities Standards Manual (FSM)."

*Regarding Forest Resources*

- 2) Staff recommends that Proffer VII.A. Tree Conservation Areas be amended consistent with other recently approved rezoning applications (e.g., ZMAP-2005-0013 Marbury, approved September 5, 2006) based on the language approved by the County Urban Forester as follows:
  - Add a sentence that reads "Boundaries of all Tree Conservation Areas shall be delineated on the record plat recorded for each section of the development" at the end of A.1.
  - Amend the second sentence under A.2 to read "Tree protection fencing and super silt fence shall be . . ." consistent with the Erosion and Sediment Control Ordinance.
  - Amend "8-inch caliper" in the third sentence under A.2 to read "6-inch caliper."
  - Amend the sixth sentence under A.2 to reference "first construction plans and profiles or site plan application" as opposed to "first preliminary subdivision plan or site plan application," consistent with FSM 7.302.
  - Please begin a new section A.3 starting with the seventh sentence under A.2 ("The Tree Conservation Areas shall be protected . . ."), as follows:

"Tree Conservation Easements shall be granted to the County for those areas identified as Tree Conservation Areas. The HOA documents shall include a provision that prohibits removal of trees in Tree Conservation Areas as shown on the record plat after construction has been completed by the Owner without specific permission of the County Forester except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability of the canopy. Such Management Techniques may

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include, without limitation, pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The HOA documents shall clearly state that such provisions prohibiting tree removal shall not be amended by the Owner or the HOA without written approval from the County. The record plat for each portion of the Property containing a Tree Conservation Area shall contain a note stating that the removal of trees within a Tree Conservation Area is prohibited except in accordance with the Declaration of Covenants.”

*Regarding Noise Impacts*

- 3) Staff acknowledges the Noise Impact Study proffer provided due to the proximity of the proposed development to Belmont Ridge Road, which is a planned minor arterial, six-lane, median divided roadway. However, as previously stated, Zoning Ordinance noise standards are incorrectly referenced in the proffer. The County’s adopted Noise Abatement Criteria are outlined in the Revised Countywide Transportation Plan. In addition, since the application was submitted, a more recent proffer commitment has been considered in several recent applications that staff recommends, as follows:

“The applicant will provide a noise impact study to the County that will determine the need for any additional buffering and noise attenuation measures along Belmont Ridge Road. The noise impact study shall be based upon traffic volumes for these roadways consistent with the 2030 forecast from the Loudoun County Transportation Forecasting Model or volumes projected at a time 10-20 years from the start of construction available from the Office of Transportation Services based on the latest horizon year, the ultimate road configuration as defined in the Revised Countywide Transportation Plan, and the ultimate design speed. This noise impact study will be conducted by a certified professional engineer and submitted to the County concurrently with the first site plan or construction plan, whichever is first in time. Noise impacts occur if noise levels substantially exceed the existing noise levels (a 10 decibel increase over existing levels) or approach (one decibel less than), meet, or exceed the Noise Abatement Criteria identified in the Revised Countywide Transportation Plan. For all impacted uses, noise attenuation measures shall be provided along the specified roadways sufficient to mitigate the anticipated noise impacts prior to the issuance of occupancy permits for any impacted structures. Noise attenuation shall result in noise levels less than impact levels (2 decibels less than the Noise Abatement Criteria) and shall result in a noise reduction of at least 5 decibels. Where noise attenuation measures are needed, priority shall be given to passive measures (to include adequate setbacks, earthen berms, wooden fences, and vegetation). Structural noise attenuation measures (e.g., noise walls) shall only be used in cases where the mitigation cannot otherwise be achieved.

*Regarding the plat*

- 4) Please depict the boundaries of existing vegetation, in addition to the proposed vegetation boundaries, and darken the boundaries of jurisdictional waters and wetlands on the Illustrative Plan (Sheet 4).

Due to the scope of the comments provided, staff requests an opportunity to comment on the subsequent submission of this application. Please contact me if you need any additional information.

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**DEPARTMENT OF BUILDING AND DEVELOPMENT**

**COUNTY OF LOUDOUN**

**MEMORANDUM**

DATE: March 26, 2008

TO: Mike Elabarger, Planning Project Manager

FROM: Laura Edmonds, Environmental Engineer

THROUGH: William Marsh, Environmental Review Team Leader

SUBJECT: **ZMAP-2005-0024 Belmont Overlook, summary of ERT outstanding issues**

- 1) Green Infrastructure Policy 1 on Page 6-9 of the Revised General Plan recommends the establishment of a 1,000-foot no-build buffer beyond the required 300-foot buffer adjacent to the Beaverdam Reservoir. The majority of the property falls within the recommended 1,000-foot no-build buffer. The applicant has currently committed to meet the 300-foot no-build buffer requirement. However, retaining walls are currently proposed in the vicinity of the 300-foot buffer boundary to accommodate the proposed grading adjacent to the reservoir. In addition, there is an existing hardwood forest stand worthy of preservation that extends beyond the required 300-foot buffer by an average distance of 200 feet (20 percent of the 1,000-foot voluntary buffer). Staff recommends that the buffer be expanded to the existing treeline in order to preserve the existing riparian buffer and to minimize the impacts of the proposed development on water quality. Preservation of this buffer will require the removal or relocation of up to 32 lots and two stormwater management facilities.
- 2) Staff acknowledges that the buffer between Lots 130 and 140 and the adjacent perennial stream/forested wetland has been increased to between 30 and 40 feet. However, staff continues to recommend that a 50-foot buffer be provided to minimize the impact of the proposed development on water quality and to provide greater separation to lots.
- 3) The applicant has declined to commit to enhanced extended detention or wet ponds and the Low-Impact Development commitment recommended in the previous referral. The impervious cover threshold for stormwater management in this area is 10 percent (FSM 5.320.D.7). Given the impervious cover threshold and the proximity of the proposed development to the reservoir, staff continues to recommend the referenced commitment to stormwater management facilities with higher pollutant removal efficiencies.

- 4) Staff acknowledges the recent modifications to the Tree Conservation Area proffer. However, the current proffer remains inconsistent with the language recommended by the County Urban Forester in the following areas: 1) boundaries of Tree Conservation Areas will not be depicted on record plats associated with the development with a note indicating that removal of trees is prohibited except in accordance with the covenants and 2) only 8-inch caliper trees or larger trees damaged during construction will be replaced, while staff recommends that 6-inch caliper or larger trees be replaced.
- 5) Belmont Ridge Road is identified in the Revised Countywide Transportation Plan as a six-lane, median-divided, minor arterial roadway. The applicant has agreed to analyze noise impacts and implement noise attenuation measures later in the development process. However, the current Noise Impact Study proffer is inconsistent with the language recommended by staff in the following areas: 1) it does not specify what traffic volume data is to be used in the study; 2) it does not specify that design speed is to be used in the analysis, 3) it does not specify that the study will be performed concurrent with the first site plan or construction plan, whichever is first in time and references the record plat, which is too late in the process 4) it does not clarify that the noise level to be studied is one decibel less than the Noise Abatement Criteria, 5) it does not clarify that noise attenuation measures shall be designed to reduce noise levels to two decibels below the Noise Impact Criteria, and 6) it does not identify a preference for passive, as opposed to structural, noise attenuation measures. These changes are necessary to facilitate preparation and review of the proffered study by ensuring that the information to be used in study is clearly identified.

COUNTY OF LOUDOUN  
DEPARTMENT OF BUILDING AND DEVELOPMENT  
MEMORANDUM

**DATE:** October 20, 2005

**TO:** Jason Rogers, Project Manager, Department of Planning

**FROM:** Theresa M. Stein, Planner, Zoning Administration *MS*

**THROUGH:** Mark Stultz, Deputy Zoning Administrator *MS*

**CASE NUMBER AND NAME:** ZMAP 2005-0024, Belmont Overlook

**TAX/MAP PARCEL NUMBER:** /78////////14/, /78////////14B, /78////////16/, /78////////17/

**MCPI:** 157-45-8152, 157-45-8611, 157-36-2868, 157-36-4725

The proposal is to rezone approximately 39.2 acres from R-1 to R-8, under the Revised 1993 Loudoun County Zoning Ordinance (Ordinance). Staff has reviewed the referral materials as listed in the August 8, 2005 referral memo for the above-referenced application and has the following comments:

**I. CRITICAL ISSUES:**

Section 3-511(C) permits only townhouses and multi-family units to be served by private streets. Sheet 3 indicates that only 40' private access easements are serving the entire proposed development, and General Note 24 references private streets. As the Ordinance does not permit duplex or quadruplex units to be served by private streets, those roads serving such units shall front on a public street. In addition, Section 7-803(F)(2) requires that all units front on a public road unless approval is received for frontage on a private road. Inasmuch as this proposal is not for a PD-H district, under which modifications can be made, all streets in the proposed development must be public.

**II. CONFORMANCE WITH THE PARKING REQUIREMENT (§5-1100):**

1. The R-8 zoning district may only be mapped at locations with pedestrian linkages to nearby established or planned employment and shopping centers, and other community support services. The proposal does not provide any pedestrian linkages outside the development nor proposes what employment, shopping or community centers those linkages would connect to. The proposal must be revised to provide pedestrian connections to existing or proposed centers (§3-502).



2. Only townhouse and multi-family units may be served by private streets. The entire development appears to be served by private access roads. See Critical Issues (§3-511(C)).

**III. CONFORMANCE WITH THE PARKING REQUIREMENT (§5-1100):**

3. Duplex units 1-4 do not show a driveway or garage access; however, sheet 4 states that there are 168 garage spaces. In addition, sheet 4 states that there are 139 driveway spaces (29 less than garage spaces). Reconcile the difference. State which units do not have a driveway space and how the garages are accessed if there are no driveways. Further, 113 additional parking spaces are provided, presumably on-street parking, but sheet 3 and 5 appear to have more than 113 on-street parking spaces. Review the parking calculation and revise, as necessary.

**IV. CONFORMANCE WITH TREE PLANTING AND BUFFERING/ SCREENING REQUIREMENTS (§5-1300 and 5-1400):**

4. Twenty percent (20%) tree canopy is required for R-8 districts. State the amount provided or provide a note stating that the subdivision/site plan will meet or exceed the requirement (§5-1303(A)(4)).
5. When property adjoins an arterial road such as Belmont Ridge Road (Rt 659), the required buffer yard shall be in accordance with a Type 3 buffer yard supplemented with a 4' earthen berm not to exceed the slope of 2:1. Provide a note along the eastern boundary adjacent to Belmont Ridge Road that the above buffer will be provided (§5-1406(E)(1)).

**V. CONFORMANCE WITH ADU REQUIREMENTS (§7-100 AND §7-800):**

6. ADU's must be interspersed among the market rate units and the dwelling dimensions and number of bedrooms must be comparable to equivalent market rate units. Provide the location of the ADU's in order to determine compliance or include a note stating the requirement (§7-104).
7. Revise the lot size requirements of the R-8 district on Sheet 4, as the ADU requirements may be followed for all units. Revise the width to reflect the minimums allowed for quadruplex end and SFA townhouse end units, and the minimum allowed for SFA townhouse interior units (§7-803(A) and (B)(2) & (3)).
8. Revise the lot coverage to reflect the 60% maximum allowed (§7-803(D)).
9. Provide the square footage of each individual active recreation space on sheet 3 to confirm the provided amount. In addition, active recreation space needs to be accessible from all units; therefore, provide walkways on sheet 5 from units 135-138 and 148-155 to the playground area. Provide access from units 135-138, 139-143, and 144-145 to the gazebo (§7-803(E)).

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10. As stated in Critical Issues, units must front on a public street (§7-803(F)(2)).

**VI. CONFORMANCE WITH ZONING AMENDMENT (§6-1200):**

11. Applicant has not provided any proffers to date. If the Applicant wishes to submit proffers for consideration, they are required to be submitted as part of the Applicant's response to the first written review of the issues (6-1209(A)(1)), and no later than 45 calendar days prior to the scheduled public hearing before the Board of Supervisors (§6-1209(A)(2)).
12. If proffers are submitted, Staff recommends that, for the purpose of future interpretation, administration and enforcement, each proffer should be written to specifically and clearly communicate: 1) the intent of the proffer; 2) who is responsible for fulfilling the proffer; 3) what is being proffered; 4) where the proffer applies; and 5) when the proffer is to be initiated and completed.

**VII. OTHER:**

13. Remove reference to "1 lot to accommodate cell tower" as it is not being proposed to be subdivided out of the development area. The total rezoning area includes that of the cell tower and the calculations are based upon the 39.2 acre parcel size. Also remove reference on sheet 4 to 1 non-residential lot.
14. Be advised that the road access to the cell tower shown on the approved plat for SPEX 2001-0023 does not reflect the access shown on the proposed CDP. This proposal is removing the cell access and routing it through the development. Approval of this ZMAP prevents the implementation of the 2001 SPEX. As the currently pending special exception (2005-0022) does not provide a plat and no amendment to the prior approved access for said cell tower is proposed, it will be necessary to apply for a new special exception to alter the access to the cell tower as shown on the proposal. Staff recommends that this proposal include a SPEX to amend the cell tower access.
15. On sheet 4, state whether the total right-of-way dedication includes the area to be dedicated per SPEX 2001-0023, or as modified by active application SPEX 2005-0022.
16. Revise General Note 11 where it states that the tree save area is subject to alteration. The tree save area should be identified without the proposed unlimited flexibility inherent in this note.
17. Revise General Note 26 to "prohibit" rather than "restrict" the conversion of garage units.
18. On sheet 2, Existing Conditions Plat, show the boundary line adjustments as proposed, because it has not been completed nor will it be done prior to the rezoning hearing.

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19. Explain the need for the retaining wall between units 130-134 and 126-129 shown on sheet 3.
20. Remove the reference to "possible location of entry monument" on sheet 3 as signs will be applied for separately.
21. Revise the acreage of the proposed R-8 district to 39.2 acres.
22. The application states that 32 quadruplex and 136 townhouse units are proposed; however, the plat shows 12 duplex and 20 quadruplex units. Reconcile the Statement of Justification, the CDP and General Note 6 on sheet 1. In addition, if duplex units are to remain, provide a typical as done for the TH and quadruplex units.

A-017

COUNTY OF LOUDOUN  
DEPARTMENT OF BUILDING AND DEVELOPMENT  
MEMORANDUM

**DATE:** January 23, 2007

**TO:** Mike Elabarger, Project Manager, Department of Planning

**FROM:** Theresa M. Stein, Planner, Zoning Administration

**CASE NUMBER AND NAME:** ZMAP 2005-0024, Belmont Overlook, 2<sup>nd</sup> submission  
**1<sup>ST</sup> REFERRAL-REACTIVATION**

**TAX/MAP PARCEL NUMBER:** /78////////14/ (part), /78////////14B (part), /78////////16/, and  
/78////////17/

**MCPI:** 157-45-8152 (part), 157-45-8611 (part), 157-36-2868, and  
157-36-4725

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The applicant has altered the proposal to rezone approximately 39.2 acres from R-1 to PD-H4, administered as R-8, under the Revised 1993 Loudoun County Zoning Ordinance (Ordinance), added modifications, and has included a SPEX to change the conditions of SPEX 2005-0022, with regard to the telecommunications tower on parcel 14. The applicant reduced the number of dwelling units to 145 SFA units made up of townhouses, "town home villas" and quadruplex units, 19 of which are affordable dwelling units. Staff reviewed the referral "reactivation" material provided with the November 21, 2006 referral memo and has the following comments:

Original comments:

1. ADU's must be interspersed among the market rate units and the dwelling dimensions and number of bedrooms must be comparable to equivalent market rate units. Provide the location of the ADU's in order to determine compliance or include a note stating the requirement (§7-104). **Add to the Sheet 4 notes that the ADU's will reflect the overall unit mix of the market rate units. Also provide a breakdown of the unit types per market rate and ADU's. Define "town home villa" as it is not a term recognized in the Ordinance. Provide a typical to ensure that it meets the SFA definition. In addition, add it to the Map Legend on sheet 3.**

**A-018.**

2. Provide the square footage of each individual active recreation space on sheet 3 to confirm the provided amount. In addition, active recreation space needs to be accessible from all units; therefore, provide walkways on sheet 5 from units 135-138 and 148-155 to the playground area. Provide access from units 135-138, 139-143, and 144-145 to the gazebo (§7-803(E)). **The applicant states on sheet 4 that a total of 53,000 sf of active recreation space is provided; however, staff is unclear how this amount is calculated when the active recreation parks total 25,500 sf plus the pool of roughly 8,000 sf. Provide a calculation of how the total was derived to demonstrate that the minimum is being met.**

Additional comments:

3. The purpose of a PD-H district is to establish a variety of single family and multi-family housing types in a neighborhood setting plus supporting non-residential uses. The proposal only offers one housing type (single family attached) and no multi-family units. Further there are no non-residential uses. The proposal does not meet the purpose of the PD-H district (§4-101).
4. Height limitations are based on an imaginary plane leaning inward from the PD-H district boundary at an angle representing an increase in height of 1' per 2' of horizontal distance perpendicular to the district boundary, along the external boundary of the proposal. No building shall project through the imaginary plane. Demonstrate that that no building will project through the imaginary plane (§4-109(E)).
5. Streets shall provide safe and convenient access for service and emergency vehicles, including fire fighting equipment. There are several stubbed streets that do not provide safe and convenient access for large vehicles, such as at the end of units 50/51, 38/39, and units 126, 136, and 145. Staff recommends additional emergency access or an alternative street pattern (§4-110(C)).
6. A minimum of 30% of the land within the proposal shall be devoted to open space. Road ROW is excluded from the open space calculation; however, active recreation space and common/dedicated open space may be included. The applicant states that 20 acres of the 39 being rezoned is open space; staff is unclear how this amount is derived. (§4-111(A)).
7. Common open space is proposed to be maintained by a homeowners association ("HOA"). Add to the Notes on sheet 4 that the HOA will conform to Section 4-111(B)(1)(b)(i) – (iv).
8. Revise General Note 6 on sheet 1 as it states the wrong number of units proposed.
9. Revise General Note 11 to state that "All canopy requirements will be met per 5-1300" and that existing trees may be used to satisfy landscaping requirements as approved by the Zoning Administrator or her agent".
10. On sheet 3, provide the size of the pool and its recreation area. In addition, in the Proffer Statement provide the minimum pool size.
11. Revise the Proposed Zone in the Overall Site Plan Summary tabulation on sheet 4 to state that the property is to be rezoned to PD-H4, administered as R-8.
12. Per 5-1101(A), only off-street parking counts toward the fulfillment of required parking; therefore, revise the parking tabulation on sheet 4 to indicate that 435 spaces (garage and driveway) are provided toward the requirement and that an additional 194 on-street parking is provided.

A-019

Proffer Statement:

13. In the introductory paragraph, state how many acres of each parcel where only a portion is included in the rezoning.
14. Remove the second sentence from paragraph I. as the definition of substantial conformance permits minor adjustments as determined by the Zoning Administrator.
15. In paragraph II, provide a break down of the units based upon type (ie. duplex, quadruplex, town home villas etc.).
16. State when the passive recreational facilities will be constructed and the size of the pool in paragraph III.

Special Exception:

17. Several conditions of SPEX 2005-0022 were removed with the current proposal. Add back conditions 2 (with allowance for current development proposal), 4 (shown on the proposed plat), 8, 11, 18, and 19. In addition, be advised that some conditions of SPEX 2005-0022 were required by the Planning Commission and the Zoning Administrator in order to receive approval; therefore, those conditions continue to be applicable to this proposal.
18. SPEX 2005-0022 condition #18 required that existing carriers obtain zoning permits. Cingular and Nextel have applied, but only Nextel has received approval. Loudoun County public service agencies were to be allowed space on the monopole. SPAM 2002-0045 showed Verizon, Sprint, and Voice Stream. Confirm the number of carriers currently on the monopole and ensure that they have received the appropriate permits.
19. Demonstrate that the proposed monopole is designed to accommodate at least 3 providers per 5-618(B)(3)(b).
20. Section 5-618(B)(3)(c) limits the height of the monopole and antennas to 199-feet. Proposed condition #5 states that no carrier shall be at a height greater than 199' without special exception approval. A prior SPAM indicates that the height of the existing monopole exceeded 200-feet. Provide the existing height of the monopole, and as the height may be modified by SPEX, staff recommends that if the monopole is above 199' that such modification be added to this application. Revise proposed condition #5 to state the current height.
21. Demonstrate that the monopole is setback one foot from the property line per every 5' in height per Section 5-618(B)(3)(e).
22. The proposed SPEX plat indicates that there are 2 equipment shelters; confirm. Also, provide the maximum dimensions of the equipment shelters and height per 5-618(B)(3)(f). If the applicant wishes to have more than 2, show there location otherwise, the applicant may have to receive SPEX approval in the future to add more shelters.
23. Submit written and graphic documentation regarding the service area to be provided for by the proposal per 5-618(B)(3)(r).
24. Provide photoimagery or other visual simulation of the proposal on the existing site per 5-618(B)(4)(a).

A-020

COUNTY OF LOUDOUN  
DEPARTMENT OF BUILDING AND DEVELOPMENT  
MEMORANDUM

**DATE:** November 16, 2007

**TO:** Mike Elabarger, Project Manager, Department of Planning

**FROM:** Theresa M. Stein, Planner, Zoning Administration

**CASE NUMBER AND NAME:** ZMAP 2005-0024, Belmont Overlook, 3<sup>rd</sup> submission

**TAX/MAP PARCEL NUMBER:** /78////////14/ (part), /78////////14B (part), /78////////16/, and /78////////17/

**MCPI:** 157-45-8152 (part), 157-45-8611 (part), 157-36-2868, and 157-36-4725

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Zoning Ordinance Amendment ZOAM 2006-0003 was approved on October 16, 2007 and goes into effect on December 3, 2007. Revise the plan to be consistent with the adopted ZOAM.

The applicant has again altered the proposal. The CDP is no longer detailed, but is a "bubble plan" with some details provided in an illustrative sheet that is not proffered. The community amenity of pool and bath house has been eliminated in order to increase the number of single-family attached units from 145 to 149 residential units. The applicant has not stated the number of quadraplex or duplex units; however, it is clear that the unit count is incorrect. Duplex buildings contain 2 dwelling units and quadraplex buildings contain 4 separate dwelling units, as the definition states that it is one of four buildings with abutting walls. Therefore, if there are 36 duplex or quadraplex units, plus 113 townhouse units, the proposal exceeds 185 SFA units. The applicant must provide information of the maximum number of each type of unit; revise the density calculation and required amount of active recreation space, and the required number of ADU's. Further, the area devoted to the cell tower can not be counted toward the net residential density. The square footage and location of recreation space is no longer proffered. The following are the outstanding and additional zoning comments:

1. Original comment: **... provide a breakdown of the unit types per market rate and ADU's. Provide a typical to ensure that it meets the SFA definition.** Comment remains outstanding. No breakdown or typical was provided.
2. Original comment: **The applicant states on sheet 4 that a total of 53,000 sf of active recreation space is provided; however, staff is unclear how this amount is calculated when the active recreation parks total 25,500 sf plus the pool of roughly 8,000 sf. Provide a calculation of how the total was derived to demonstrate that the minimum is being met.** Information about the square footage of active recreation and open space is no longer provided. The applicant must demonstrate that they can meet the required amount of active recreation space for the number of units requested, plus the required minimum active recreation space is increased by the increased number of units resulting from the duplex and

**A - 021**

- quadraplex units, per paragraph 2. If the applicant wishes to proffer the number of units it may develop, they must state the minimum amount of open space that they will provide and its locations to ensure it meets the Ordinance requirements. The applicant responds that compliance will be demonstrated at site plan. Section 6-1505(A) requires that the CDP provide information in sufficient detail to judge its superiority to other forms of development. This proposal does not provide sufficient detail and does not demonstrate that it can meet minimal requirements for the number of units proposed.
3. Original comment: **Height limitations are based on an imaginary plane leaning inward from the PD-H district boundary at an angle representing an increase in height of 1' per 2' of horizontal distance perpendicular to the district boundary, along the external boundary of the proposal. No building shall project through the imaginary plane. Demonstrate that that no building will project through the imaginary plane (§4-109(E)).** Revise to conform to ZOAM 2006-0003.
  4. Original comment: **Streets shall provide safe and convenient access for service and emergency vehicles, including fire fighting equipment. There are several stubbed streets that do not provide safe and convenient access for large vehicles, such as at the end of units 50/51, 38/39, and units 126, 136, and 145. Staff recommends additional emergency access or an alternative street pattern (§4-110(C)).** A few of the streets have been cul-de-saced but there are others that do not provide safe and convenient access for emergency vehicles. Comment remains outstanding.
  5. Original comment: **A minimum of 30% of the land within the proposal shall be devoted to open space. Road ROW is excluded from the open space calculation; however, active recreation space and common/dedicated open space may be included. The applicant states that 20 acres of the 39 being rezoned is open space; staff is unclear how this amount is derived. (§4-111(A)).** The applicant has revised the plan to provide no information about open space; however, they state in the Statement of Justification that approximately 50% of the property will be maintained as open space. Sufficient information has not been provided to judge the quality of this plan or whether the units proposed can be achieved. If the applicant claims that 50% of the site is maintained open space, a minimum amount of open space can be proffered and its location shown. Comment remains outstanding.
  6. Original comment: **Per 5-1101(A), only off-street parking counts toward the fulfillment of required parking; therefore, revise the parking tabulation on sheet 4 to indicate that 435 spaces (garage and driveway) are provided toward the requirement and that an additional 194 on-street parking is provided.** The applicant has removed the parking count. Be advised that the number of proposed units may not be achieved if required parking cannot be provided in sufficient amounts.
  7. Front yard is defined as the open space between the front line of a building, and a road or private access easement. Therefore, where units front on private roads or easements along 2 or more sides, those will be treated as a front yards, and other yards treated as sides, and will be subject to Section 5-200, which may limit the location of A/C units, decks, etc.
  8. The applicant seeks to modify Section 3-511(A) and 4-110(B) to allow the telecommunications tower, the quadraplex and duplex units to be served by private roads. On sheet 3 state the requirement, as revised by ZOAM 2006-0003, and what is proposed. The applicant states that the request allows for tighter grouping of lots which will maximize "usable common open space" however they have not proffered to a minimum amount of open space, and further, have eliminated recreation space to allow for greater number of units, which appears to be a contradiction of their justification.

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9. Revise General Note 6 to reflect the correct number of units and the removal of the SPEX.
10. Revise General Note 32 to reflect the correct number of ADU's to be provided and that the ADU's will reflect the same ratio of townhouse, duplex and quadraplex units.
11. Revise sheet 3 to reflect the correct number of units proposed, the number of ADU's to be provided, the required active recreation space, and the revised density. Revise the yard and setback requirements. Provide a minimum amount of open space that will be provided. The active recreation space has been reduced with the elimination of the pool; demonstrate that sufficient active recreation space can be provided for the maximum number of units. Proffer a minimum square footage of active recreation space that will be provided and proffer its location to ensure it meets Ordinance requirements. Remove the 2 Notes as the definition of substantial conformance allows for minor adjustments based on engineering and the note regarding sidewalks can allow for contradiction to the FSM and Ordinance requirements.
12. Revise sheet 5 to reflect ZOAM 2006-0003.

Proffer Statement:

13. Original comment: **In the introductory paragraph, state how many acres of each parcel where only a portion is included in the rezoning.** Note that only a portion of parcel 14 and 14B are subject to the rezoning.
14. Original comment: **Remove the second sentence from paragraph I. as the definition of substantial conformance permits minor adjustments as determined by the Zoning Administrator.** The applicant states that similar language has been approved before, which is not relevant. The Ordinance defines substantial conformance and the zoning administrator determines minor adjustments, proffers cannot override the Ordinance where no modification is permitted. Comment remains outstanding.
15. Revise Paragraph I to proffer to conform to sheet 2, 4, and 6. Sheet 2 is the rezoning plat and outlines the area subject to the rezoning and boundary line adjustments. Sheet 4 provides insufficient detail to judge the superiority of this proposal over other forms of development and provides residential information required on the CDP per Section 6-1508(B). Sheet 5 provides a pedestrian and traffic circulation plan which is required on the CDP per Section 6-1508(D).
16. Original comment: **In paragraph II, provide a break down of the units based upon type (ie. duplex, quadruplex, town home villas etc.).** The applicant states that the CDP identifies the general location of the unit types; however, the only proffered sheet is vague and does not state the maximum number of townhouse, duplex and quadraplexes individually. As this application is being evaluated on the concept of a mixture of units (ie. Duplex and quads in addition to townhouses), the applicant's language allows too much latitude and would allow for all townhouse units, which is a different application than the one being evaluated. Comment remains outstanding. Additionally, as the duplex and quadraplexes count as more than one unit, therefore, the unit count is incorrect. Finally, the paragraph limits ADU's to the townhouse units, which do not comply with the interspersion requirement in the Ordinance. Affordable units must reflect the unit mix and, therefore, must also be comprised of duplex and quadraplex units.
17. Original comment: **State when the passive recreational facilities will be constructed and the size of the pool in paragraph III.** The applicant states that active and passive recreation is shown on the CDP, however, it is not. The recreation spaces need to be accessible to all residents, however, those spaces are not shown. Since the applicant does not provide a timeline as to when the amenities will be provided, only that recreation will be developed when adjacent residential units are developed, the active and passive recreation could be left

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- to the last units. Provide a phasing of active and passive recreation, show where they will be located within the development, and their minimum size. Further, the trails are left to be constructed after more than 2/3<sup>rd</sup> of the project is built out. Trails should be built when the units adjacent to it are developed.
18. Paragraph V.C. and D. Revise the first sentence in both paragraphs to read "...for regional transportation improvements with the Ashburn Planning Subarea, as defined in".
  19. Paragraph VI.B. Specify who the recipient of the open space contribution is.
  20. Paragraph VII.A.1. Because there is no inventory of the Tree Conservation Area, it is impossible to measure whether 80% of the canopy is being preserved. Therefore, this proffer will be difficult to administer. In addition, any replacement canopy must be at a one for one replacement value, and there needs to be a minimum size for each replacement.
  21. Paragraph VII.A.2. Revise the size of replacement trees to 4 inches so that they equal at least 8-inches in caliper or the minimum replacement. Add to the paragraph that a copy of the recorded Tree Conservation Easement will be provided to the Loudoun County Proffer Auditor within 2 weeks of recordation.
  22. Paragraph VII.D.1. Add to the paragraph that the County will receive a copy of the contract provided to purchasers prior to the first settlement.
  23. Paragraph VIII.B. Add that the County will be given a copy of the options list which evidences that the option is being made available to purchasers. In addition, the builders shall provide evidence that the public water system is NOT capable of delivering adequate service to support a sprinkler system.
  24. Revise Exhibit B, Zoning Modifications to reflect the changes to Section 3-511 with ZOAM 2006-0003.

Special Exception:

25. Original comment: **Section 5-618(B)(3)(c) limits the height of the monopole and antennas to 199-feet. Proposed condition #5 states that no carrier shall be at a height greater than 199' without special exception approval. A prior SPAM indicates that the height of the existing monopole exceeded 200-feet. Provide the existing height of the monopole, and as the height may be modified by SPEX, staff recommends that if the monopole is above 199' that such modification be added to this application. Revise proposed condition #5 to state the current height.** Comment remains outstanding. The height was not provided. If the existing height is more than 199 feet, the SPEX must include a modification to height to bring the existing tower into conformance.
26. Original comment: **Demonstrate that the monopole is setback one foot from the property line per every 5' in height per Section 5-618(B)(3)(e).** The applicant responds that the one to five setback is demonstrated on the CDP. However, the CDP (sheet 3) does not show the setback. Sheet 4, not a proffered sheet or a CDP, only states the requirement, but does not give the specific setback required. In addition, the CDP and SPEX plat are separate, therefore, the CDP does not govern the SPEX, and information specific to the SPEX should not be included on the CDP. State the setback on the SPEX plat
27. Original comment: **The proposed SPEX plat indicates that there are 2 equipment shelters; confirm. Also, provide the maximum dimensions of the equipment shelters and height per 5-618(B)(3)(f). If the applicant wishes to have more than 2, show there location otherwise, the applicant may have to receive SPEX approval in the future to add more shelters.** Comment remains outstanding as the dimensions were not provided.

A-024

COUNTY OF LOUDOUN  
DEPARTMENT OF BUILDING AND DEVELOPMENT  
MEMORANDUM

**DATE:** March 6, 2008

**TO:** Mike Elabarger, Project Manager, Department of Planning

**FROM:** Rory L. Toth, Planner, Zoning Administration

**CASE NUMBER AND NAME:** ZMAP-2005-0024 Belmont Overlook and SPEX-2006-0035  
E.A.R, Ltd Alford Tower, 4<sup>th</sup> submission

**TAX/MAP PARCEL NUMBER:** /78////////14/ (part), /78////////14B (part), /78////////16/, and  
/78////////17/

**MCPI:** 157-45-8152 (part), 157-45-8611 (part), 157-36-2868, and 157-36-4725

Staff notes that the CDP is still shown as a "bubble plan" with some details provided in an illustrative sheet (Sheet 4) that is not proffered. The Applicant proposes 149 units in the development and is also amending an existing special exception for a telecommunications tower. The applicant has not stated the number of quadraplex or duplex units, so Staff is unsure whether the unit count is correct. Duplex buildings contain 2 dwelling units and quadraplex buildings contain 4 separate dwelling units, as the definition states that it is one of four buildings with abutting walls. The applicant must provide information of the maximum number of each type of unit; revise the density calculation and required amount of active recreation space, and the required number of ADU's. Further, the area devoted to the cell tower can not be counted toward the net residential density. The square footage and location of recreation space is not proffered. The following are the outstanding and additional zoning comments:

1. **Section 5-900(A) Building and Parking Setbacks from Roads.** Staff notes that Route 659 is currently classified as a major collector and is proposed to be a minor arterial. Verify that the 75 foot setback is measured from the ultimate right-of-way for Route 659, as Staff notes that the Applicant is proffering to dedicate 60 feet of right of way in Proffer, V.A.1 and an additional 30 feet (for a total of 90 feet) in Proffer V.A.2. It appears the setback shown on the CDP is measured from the 60 foot right-of-dedication. Staff also notes that improvements such as a berm, trail and landscaping along Route 659 may be impacted if the 30 feet of additional right-of-way is deemed to be necessary in the future.
2. Original comment: ... provide a breakdown of the unit types per market rate and ADU's. Provide a typical to ensure that it meets the SFA definition. Comment remains outstanding. No breakdown or typical was provided.
3. Original comment: Information about the square footage of active recreation and open space is no longer provided. The applicant must demonstrate that they can meet the required amount of active recreation space for the number of units requested, plus the

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required minimum active recreation space is increased by the increased number of units resulting from the duplex and quadraplex units, per paragraph 2. If the applicant wishes to proffer the number of units it may develop, they must state the minimum amount of open space that they will provide and its locations to ensure it meets the Ordinance requirements. The applicant responds that compliance will be demonstrated at site plan. Section 6-1505(A) requires that the CDP provide information in sufficient detail to judge its superiority to other forms of development. This proposal does not provide sufficient detail and does not demonstrate that it can meet minimal requirements for the number of units proposed. This comment remains outstanding.

4. Original comment: Height limitations are based on an imaginary plane leaning inward from the PD-H district boundary at an angle representing an increase in height of 1' per 2' of horizontal distance perpendicular to the district boundary, along the external boundary of the proposal. No building shall project through the imaginary plane. Demonstrate that that no building will project through the imaginary plane (§4-109(E)). Revise to conform to ZOAM 2006-0003. This comment remains outstanding. The Applicant has provided a diagram on Sheet 5, however, this does not demonstrate compliance with Section 4-109(E). Maximum building heights should be provided to determine if the buildings are in conformance with the Zoning Ordinance.
5. Original comment: Streets shall provide safe and convenient access for service and emergency vehicles, including fire fighting equipment. There are several stubbed streets that do not provide safe and convenient access for large vehicles, such as at the end of units 50/51, 38/39, and units 126, 136, and 145. Staff recommends additional emergency access or an alternative street pattern (§4-110(C)). A few of the streets have been cul-de-saced but there are others that do not provide safe and convenient access for emergency vehicles. Comment remains outstanding. Staff notes that this comment has not been addressed as there are still numerous dead-end streets with no cul-de-sacs which do not provide safe and convenient access for large vehicles and emergency/fire protection vehicles.
6. Original comment: The applicant has revised the plan to provide no information about open space; however, they state in the Statement of Justification that approximately 50% of the property will be maintained as open space. Sufficient information has not been provided to judge the quality of this plan or whether the units proposed can be achieved. If the applicant claims that 50% of the site is maintained open space, a minimum amount of open space can be proffered and its location shown. Comment remains outstanding. The Applicant has not provided a proffered CDP sheet demonstrating how they meet the open space and active recreation space requirements or how the calculations shown on Sheet 4 were derived. Comment remains outstanding. In addition, the active recreation open space calculation on Sheet 4 references 0.7 acres, or 30,492 square feet of active recreation space, while Sheet 3 references 29,000 square feet of active recreation open space. Please clarify this discrepancy. Staff notes that the Applicant must demonstrate that the application provides the required amount of open space and active recreation space on the CDP.
7. Original comment: The applicant has removed the parking count. Be advised that the number of proposed units may not be achieved if required parking cannot be provided in sufficient amounts. The Applicant has revised the parking count on Sheet 3 to show 149 units x 3 spaces = 447 spaces. However, the Applicant has not demonstrated how the

**A-024.2**

application meets the .5 spaces/ lot shown off lot required by Table 5-1102 for single family attached dwelling units.

8. Original comment: **The applicant seeks to modify Section 3-511(A) and 4-110(B) to allow the telecommunications tower, the quadraplex and duplex units to be served by private roads. On sheet 3 state the requirement, as revised by ZOAM 2006-0003, and what is proposed. The applicant states that the request allows for tighter grouping of lots which will maximize "usable common open space" however they have not proffered to a minimum amount of open space, and further, have eliminated recreation space to allow for greater number of units, which appears to be a contradiction of their justification. The Applicant has updated Sheet 3 to reflect the revisions to the Zoning Ordinance with ZOAM-2006-0003. Staff notes that the Applicant still has not shown the required amount of open space and active recreation space or demonstrated on the CDP.**
9. Original comment: **Revise General Note 6 to reflect the correct number of units and the removal of the SPEX. General Note #6 still references 149 SFA units and does not provide a breakdown of the different unit types proposed.**
10. Original comment: **Revise General Note 32 to reflect the correct number of ADU's to be provided and that the ADU's will reflect the same ratio of townhouse, duplex and quadraplex units. The Applicant stated in their response that the number of required ADUs will be based on the final number of units approved with the site plans and subdivisions for the property. The Applicant states that ADUs will be interspersed among the townhouse units. The Applicant must demonstrate on the CDP that the required number of ADUs will be met. Comment remains outstanding.**
11. Original comment: **Revise sheet 3 to reflect the correct number of units proposed, the number of ADU's to be provided, the required active recreation space, and the revised density. Revise the yard and setback requirements. Provide a minimum amount of open space that will be provided. The active recreation space has been reduced with the elimination of the pool; demonstrate that sufficient active recreation space can be provided for the maximum number of units. Proffer a minimum square footage of active recreation space that will be provided and proffer its location to ensure it meets Ordinance requirements. Remove the 2 Notes as the definition of substantial conformance allows for minor adjustments based on engineering and the note regarding sidewalks can allow for contradiction to the FSM and Ordinance requirements. Comment not fully addressed. While the Applicant has provided a diagram and calculations on Sheet 4 showing the location of open space and active recreation space, this Sheet is not proffered. The location and pedestrian access should be shown on the proffered CDP.**

A - 024.3

Proffer Statement:

12. Original comment: **Remove the second sentence from paragraph I. as the definition of substantial conformance permits minor adjustments as determined by the Zoning Administrator.** The applicant states that similar language has been approved before, which is not relevant. The Ordinance defines substantial conformance and the zoning administrator determines minor adjustments, proffers cannot override the Ordinance where no modification is permitted. Comment remains outstanding.
13. Original comment: **Revise Paragraph I to proffer to conform to sheet 2, 4, and 6. Sheet 2 is the rezoning plat and outlines the area subject to the rezoning and boundary line adjustments. Sheet 4 provides insufficient detail to judge the superiority of this proposal over other forms of development and provides residential information required on the CDP per Section 6-1508(B). Sheet 5 provides a pedestrian and traffic circulation plan which is required on the CDP per Section 6-1508(D). The Applicant has not amended the proffer to include Sheets 2, 4 or 6. Sheet 3 is essentially a "bubble plan" and does not commit the Applicant to any specific design that meet the Zoning Ordinance requirements.**
14. Original comment: **In paragraph II, provide a break down of the units based upon type (ie. duplex, quadruplex, town home villas etc.). The applicant states that the CDP identifies the general location of the unit types; however, the only proffered sheet is vague and does not state the maximum number of townhouse, duplex and quadrplexes individually. As this application is being evaluated on the concept of a mixture of units (ie. Duplex and quads in addition to townhouses), the applicant's language allows too much latitude and would allow for all townhouse units, which is a different application than the one being evaluated. Comment remains outstanding. Additionally, as the duplex and quadrplexes count as more than one unit, therefore, the unit count is incorrect. Finally, the paragraph limits ADU's to the townhouse units, which do not comply with the interspersion requirement in the Ordinance. Affordable units must reflect the unit mix and, therefore, must also be comprised of duplex and quadrplex units. Comment remains outstanding.**
15. Previous comment: **The applicant states that active and passive recreation is shown on the CDP, however, it is not. The recreation spaces need to be accessible to all residents, however, those spaces are not shown. Since the applicant does not provide a timeline as to when the amenities will be provided, only that recreation will be developed when adjacent residential units are developed, the active and passive recreation could be left to the last units. Provide a phasing of active and passive recreation, show where they will be located within the development, and their minimum size. Further, the trails are left to be constructed after more than 2/3<sup>rd</sup> of the project is built out. Trails should be built when the units adjacent to it are developed. Comment remains outstanding.**
16. Paragraph V.A.2. The proffer states that an additional 30 feet of right-of-way will be dedicated from the edge of the 60 feet of right-of-way referenced in Proffer V.A.1 if additional right-of-way is required to widen Route 659 to a six land divided roadway, which totals 90 feet of dedicated right-of-way. Clarify that Section 5-900 road and parking setbacks shown on the CDP are measured from the ultimate right-of-way. As it's currently shown, it

**A-024.4**

appears the setbacks are shown from the edge of the 60 foot dedicated right-of-way and not the 90 foot dedicated right-of-way.

17. Previous comment: **Paragraph V.C. and D. Revise the first sentence in both paragraphs to read "...for regional transportation improvements with the Ashburn Planning Subarea, as defined in".** The County looks at these types of contributions by planning sub-areas. Stating that contributions for regional improvements within the Ashburn Community is vague and hard to enforce. Comment remains outstanding.
18. Previous comment: **Paragraph VII.A.1. Because there is no inventory of the Tree Conservation Area, it is impossible to measure whether 80% of the canopy is being preserved. Therefore, this proffer cannot be administered. In addition, any replacement canopy must be at a one for one replacement value, and there needs to be a minimum size for each replacement.** Comment remains outstanding.
19. Previous comment: **Paragraph VII.A.2. Revise the size of replacement trees to 4 inches so that they equal at least 8-inches in caliper or the minimum replacement. Add to the paragraph that a copy of the recorded Tree Conservation Easement will be provided to the Loudoun County Proffer Auditor within 2 weeks of recordation.** Comment remains outstanding.
20. Previous comment: **Paragraph VII.D.1. Add to the paragraph that the County will receive a copy of the contract provided to purchasers prior to the first settlement.** As proffers become part of zoning regulations upon approval of a zoning map amendment application, without documentation that the copy is received at settlement, this proffer is difficult to administer. In accordance with Section 6-1209(G), proffers must be able to be administered and enforceable. Comment remains outstanding.
21. Previous comment: **Paragraph VIII.B. Add that the County will be given a copy of the options list which evidences that the option is being made available to purchasers. In addition, the builders shall provide evidence that the public water system is NOT capable of delivering adequate service to support a sprinkler system.** As proffers become part of the zoning regulations upon approval of a zoning map amendment application, without documentation demonstrating that the options list is available to purchasers, this proffer is difficult to administer. In accordance with Section 6-1209(G), proffers must be able to be administered and enforceable. Comment remains outstanding.

Special Exception:

22. Staff notes that the tower was erected when the subject property was CR-1/A-3 as an amateur radio tower and received a special exception in 2002 to have commercial antennas. When the property was remapped to R-1 in 2003 with the Countywide Remapping, it became a legal non-conforming use. Staff also notes that the previous SPEX approvals did not limit the number of antennae on the tower, but limited how high they could be located on the tower (199 feet). Staff notes that a telecommunications tower is not a permitted use in the PD-H4 zoning district and therefore would remain a legal non-conforming use. However, the Zoning Ordinance does allow telecom antennas by right on existing towers. Clarify how many antennae are currently located on the tower and if any additional

A-024.5

antennas are proposed. Staff also recommends that a condition be considered to limit the number of antennae that may be located on the tower.

23. Staff notes that numerous conditions were deleted with this current special exception application. The Applicant had previously stated that some conditions of approval are addressed in the proffer statement. As the SPEX is a separate governing document from the zoning map amendment, conditions of approval applicable to the use should be included with the SPEX conditions of approval and not located within the proffer statement.
24. Original comment: **The proposed SPEX plat indicates that there are 2 equipment shelters; confirm. Also, provide the maximum dimensions of the equipment shelters and height per 5-618(B)(3)(f). If the applicant wishes to have more than 2, show the location, otherwise, the applicant may have to receive SPEX approval in the future to add more shelters.** Comment remains outstanding. Pursuant to Section 5-618(C)(3)(f), the dimensions and height were not provided.
25. The cell tower lot shown on the SPEX plat states that it will be +-1.2 acres in size. However, the cell tower lot depicted on CDP Sheet #3 states "Approx. Cell Tower Lot +-0.6 ac." Other Sheets on the CDP state +-1.2 acres. Clarify this discrepancy.
26. Staff notes that Condition #9 states that the Applicant will provide a Type 4 buffer surrounding the existing tower compound. Staff suggests that the Type 4 buffer (including opaque fence) be illustrated on the cell tower parcel that will be created for this use. Currently a portion of the Type 4 buffer is shown located on the proposed cell tower lot and a portion is shown located off of the cell tower lot.
27. Staff questions why Condition #5 is still shown in the Conditions of Approval as Section 5-618(C)(3)(c) prohibits the tower and antennas to exceed 199 feet in height.

A-024.6



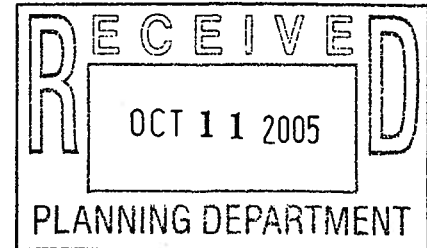


## Loudoun County Department of Fire-Rescue

16600 Courage Court  
Leesburg, Virginia 20175  
(703) 777-0333

# Memo

To: Jason Rogers, Project Manager  
From: Maria Figueroa, Fire-Rescue Planner  
Date: October 6, 2005  
Re: Belmont Overlook  
ZMAP 2005-0024



Thank you for the opportunity to review the above captioned application to rezone approximately 40 acres from R-1 to R-8. The Fire and Rescue Planning Staff, in agreement with the Fire Marshal's Office, has no objections to the application as presented.

The GIS and Mapping coordinator offered the following information regarding estimated response times:

PIN	Project name	Ashburn VFRC Moorefield Station 23 Miles	Ashburn VFRC Moorefield Station 23 Travel Time
157-45-8152	Belmont Overlook	4.03 (temp station) 2.60 (perm station)	8 minutes 5 minutes, 12 seconds

The Travel Times for each project were calculated using ArcView and the Network Analyst extension to calculate the distance in miles. This distance was then doubled to provide an approximate travel time for a Fire or EMS unit to reach each project site. To get the total response time another two minutes were added to account for dispatching and turnout. This assumes that the station is staffed at the time of the call. If the station is unoccupied, another one to three minutes should be added.

Project name	Approximate Response Time for Ashburn VFRC Moorefield Station 23
Belmont Overlook	10 minutes (temp station) 7 minutes, 12 seconds (perm station)

We did not receive comments from the first due fire and rescue company; however, we recommend the applicant would consider a contribution to the volunteer fire and rescue company in accordance with current criteria. If you have any questions or need additional information, please contact me at 703-777-0333.

C: Howard Dawley Danielle Gotthardt D. Ayers Project file

A-025



Loudoun County, Virginia  
**Department of Fire, Rescue and Emergency Management**

803 Sycolin Road, Suite 104 Leesburg, VA 20175  
Phone 703-777-0333 Fax 703-771-5359



## Memorandum

**To:** Mike Elabarger, Project Manager  
**From:** Maria Figueroa Taylor, Fire-Rescue Planner  
**Date:** January 17, 2007  
**Subject:** Belmont Overlook – **First referral Reactivation**

ZMAP 2005-0024 / SPEX 2006-0035

Thank you for the opportunity to review the above captioned (revised) application materials and response to a previous round of comments.

The fire and rescue planning staff respectfully requests that the applicant provide further information regarding the proposed emergency access off Belmont Ridge Road to ensure that it would be adequate to support the weight and width of emergency vehicles. Staff is available to provide some suggestions that will ensure timely response of emergency vehicles while maintaining the intent of emergency only use of the travel way. Staff further recommends that a similar emergency access be considered for lots 121-145.

If you have any questions or need additional information, please contact me at 703-777-0333.

C: Project file



## Loudoun County Health Department

P.O. Box 7000  
Leesburg VA 20177-7000



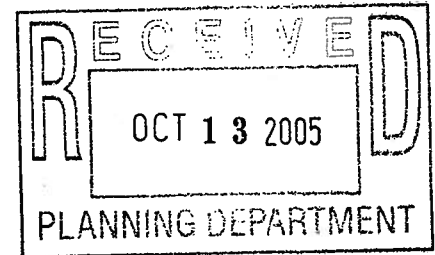
Environmental Health  
Phone: 703 / 777-0234  
Fax: 703 / 771-5023

Community Health  
Phone: 703 / 777-0236  
Fax: 703 / 771-5393

6 October 2005

**MEMORANDUM TO:** Jason Rogers, Planner  
Department of Planning

**FROM:**  Matthew D. Tolley  
Sr. Env. Health Specialist  
Division of Environmental Health



**SUBJECT:** ZMAP 2005-0024; Belmont Overlook  
LCTM: 78/14 (PIN 157-45-8152)

The Health Department recommends approval of this application. All existing sanitary facilities on these parcels will have to be abandoned prior to any approval of a site plan or preliminary plat. The plat reviewed was prepared by Dewberry and was dated 16 May 2005.

Attachments Yes \_\_\_ No X

If further information or clarification on the above project is required, please contact Matt Tolley at 771-5248.

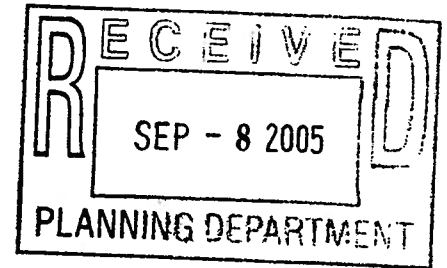
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880 Harrison Street, SE • P.O. Box 4000 • Leesburg, Virginia 20177-1403 • [www.lcsa.org](http://www.lcsa.org)

August 30, 2005

Mr. Jason Rogers  
Department of Planning  
1 Harrison Street, S.E.  
P. O. Box 7000  
Leesburg, Virginia 20177-7000



Re: **ZMAP-2005-0024, Belmont Overlook**

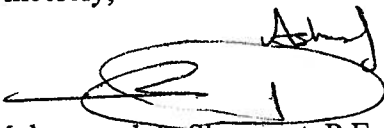
Dear Mr. Rogers:

The Sanitation Authority has reviewed the referenced Zoning Map Amendment Petition and offers the following comments:

1. Sanitary sewer service to this site is contingent upon construction of the Villages of Waxpool sewer pumping station.
2. As shown in the Authority's Area Facility Plan for Waxpool, the applicant's proposed sewer design should enable sewer service to the Northern Virginia Regional Park Authority property to the southwest (see enclosed map).
3. The concept plan shows access to water on the east side of Route 659. In order to loop the water system, the waterline will need to be extended to the existing facilities on the church property to the north.
4. Should offsite easements be required to extend public water and/or sanitary sewer to this site, the applicant shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or to the Authority.

Public water and sanitary sewer service would be contingent upon the developer's compliance with the Authority's Statement of Policy; Rates, Rules and Regulations; and Design Standards. Should you have any questions, please advise.

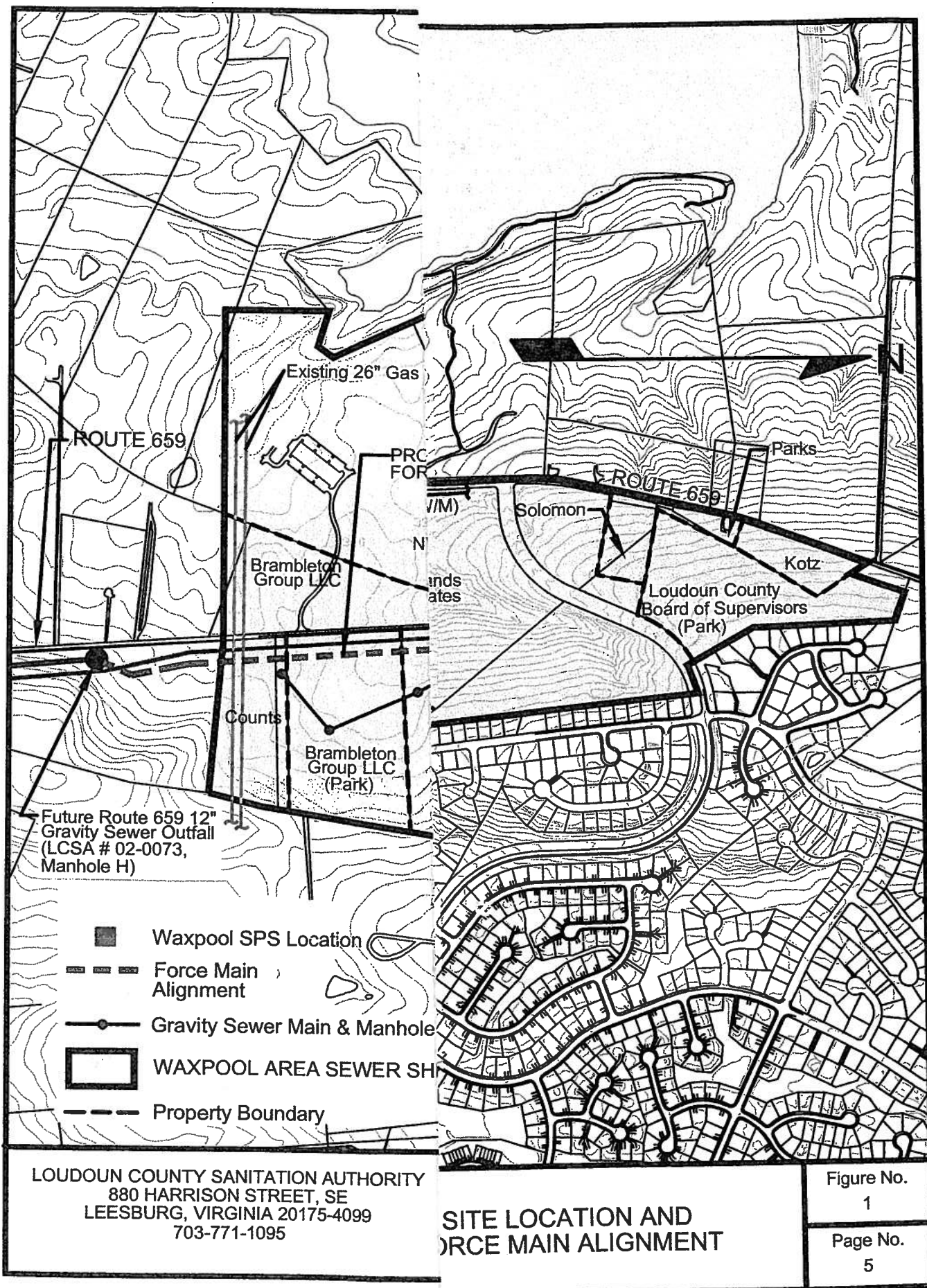
Sincerely,

  
Mohammed A. Shammet, P.E.  
Manager of Planning  
Engineering Division

Dale C. Hammes, P.E.  
General Manager/Treasurer

Richard C. Thoesen, P.E.  
Deputy General Manager

A-028

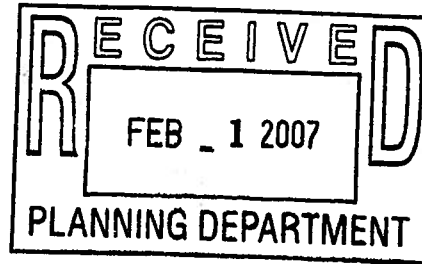


A-029



880 Harrison Street, SE • P.O. Box 4000 • Leesburg, Virginia 20177-1403 • [www.lcsa.org](http://www.lcsa.org)

February 1, 2007



Mr. Michael Elabarger  
Department of Planning  
1 Harrison Street, S.E.  
P. O. Box 7000  
Leesburg, Virginia 20177-7000

Re: **ZMAP-2005-0024, Belmont Overlook**


Dear Mr. Elabarger:

The Sanitation Authority has reviewed the referenced reactivated Zoning Map Amendment Petition and offers the following comments:

1. At the construction phase of this project, the applicant may be required by the Authority to loop water to the existing facilities on the Church property.
2. Should offsite easements be required to extend public water and/or sanitary sewer to this site, the applicant shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or to the Authority.
3. Detailed comments on the design of the public water and sanitary sewer facilities will be addressed during the Sanitation Authority's Utility Extension Request process.

Should you have any questions, please do not hesitate to contact Ben Shoemaker, of this office.

Sincerely,

  
Marc I. Schwartz, P.E.  
Manager, Department of Land  
Development Programs

Dale C. Hammes, P.E.  
General Manager/Treasurer

Richard C. Thoesen, P.E.  
Deputy General Manager

Administration 703-771-1095 • Metro 703-478-8016 • Fax 703-777-9223 • Customer Service 703-771-1092 • Metro 703-478-8677 • Fax 703-771-4141

A-030



**COUNTY OF LOUDOUN  
PARKS, RECREATION AND COMMUNITY SERVICES  
REFERRAL MEMORANDUM**

**To:** Jason Rogers, Project Manager  
Panning Department

**From:** Mark A. Novak, ASLA, Chief Park Planner, Facilities Planning and Development

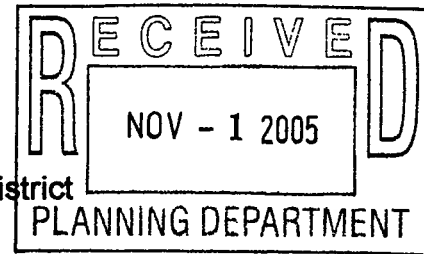
**CC:** Diane Ryburn, Director  
Steve Torpy, Assistant Director  
Su Webb, Park Board, Chairman  
Michael Capretti, Park Board, Broad Run District

**Date:** October 28, 2005

**Subject:** ZMAP 2005-0024 Belmont Overlook

**Election District:** Dulles      **Sub Planning Area:** Ashburn/Dulles

**MCPI #** 157-48-8152, 157-45-8611, 157-36-2868, 157-36-4725



**BACKGROUND:**

The property is located west of Route 659 (Belmont Ridge Road), south Route 625 (Waxpool Road) and on both sides of Route 646 (Alford Road). The Property consists of for (4) parcels, totally approximately 40 acres, located in the Dulles Community within the Suburban Policy Area and Dulles Election District. The property is currently zoned R-1 (Single Family Residential-1). A portion of the Property includes the site of a telecommunications tower approved under CMPT 2001-0026 and SPEX 2001-0023. The Applicant proposes to develop the Property as a residential community consisting of 168 single-family attached units (town homes and quadruples units) at a density of 4.3 units to the acre. To support this program, the applicant seeks to rezone the Property from R-1 to R-8 in accordance with the provisions of the 1993 Loudoun County Zoning Ordinance.

**POLICY:**

The site is governed under the land use policies in the Revised General Plan, the Loudoun County Bicycle and Pedestrian Mobility Master Plan, and the Revised Countywide Transportation Plan (Revised CTP). The subject site is located within the Dulles Community within the Suburban Policy Area. The Planned Land Use Map

A-031

adopted with the Revised General Plan identifies the subject site as suitable for Residential uses.

### PROJECT ANALYSIS:

The Applicant proposes to develop the Property as a residential community consisting of 168 single-family attached units (town homes and quadruples units), at a density of 4.3 dwellings units per acre. The Applicant states, an extensive pedestrian walkway system links the residential units with open space and recreational amenities provided throughout the Property. The Applicant further states, approximately 50% of the Property will be maintained as open space, and will enhance the aesthetics of the community. The Applicant is also making a portion of its Property available to the Mt. Hope Baptist Church to accommodate the expansion of the church use.

### COMMENTS:

With respect to Parks, Recreation and Community Services we offer the following comments and recommendations:

1. No proffers were submitted with this application. Please provide proffers for review.
2. This project adds 168 single-family attached units and single-family and offers no contribution to public recreation. The Applicant should demonstrate to staff, the Planning Commission, and the Board of Supervisors how the recreational and leisure needs of these new residents will be met without further taxing the existing public recreational facilities in the Dulles area.
3. Clarify what recreational amenities and opportunities are being provided for the residents of this development. This development should provide recreational facilities (passive and active), parks, and trails for its own residents within walking distance of this neighborhood. Provide more detail as to uses and facilities proposed to meet the recreational and civic needs of this community.
4. The Loudoun County Bicycle and Pedestrian mobility Master Plan (BPMMP), Walkway and Sidewalk Policies, 2 (a); "*Sidewalks in the Suburban Policy Area: Residential streets should have sidewalks with a **minimum width of five (5') feet.*** PRCS commends the Applicant in proposing internal sidewalks of 5 feet. However, it is important to recognize that providing a wider width for sidewalks does not necessarily

A-032



add to the safety of sidewalk bicycle travel. Utilizing or providing a sidewalk as a shared use path is unsatisfactory. Sidewalks are typically designed for pedestrian speeds and maneuverability and are not compatible with for higher speed bicycle use.

5. Under the Land Development Policies (Chapter 4) of the Countywide Bicycle and Pedestrian Mobility Master Plan. (B.6), ***All land development applications shall provide bicycle and pedestrian access through the development in various directions, so as to prevent it from becoming a barrier between other trip origins and destinations in the community; (B.7) All land development applications shall provide a sufficient number of bicycle and pedestrian access points to ensure efficient connections to and from the various activity nodes within the development and linkages to existing or future adjacent developments.*** Please provide more information and details on how bicycle access is being provided.
6. PRCS strongly supports any efforts to protect and preserve wetlands, trees, and native vegetation because these contribute directly to protecting the health of surface water, groundwater, air quality, and aesthetics – all of which contribute to the health of the community's residents. We recommend that any substantial "tree save" area has a Forest Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural area. The management plan should address how multiple layers – overstory, understory, shrub and herbaceous layers – will be maintained to ensure the health and functionality of the vegetated open space.
7. The Revised Countywide Transportation Plan (CTP) identifies Belmont Ridge Road (Rt. 659) as a priority bicycle route along roadways. The CTP further identifies Belmont Ridge Road (Rt. 659) ultimate design conditions as, a 6 (six) lane/120-foot ROW, and states ***bicycle accommodations must be considered in design and may require additional right-of-way.*** The applicant should reserve an additional 14 feet in addition the VDOT roadway.
8. The Loudoun County Bicycle and Pedestrian mobility Master Plan, text, p.42. Recommended Share Use Facility recommends," shared use pathways or trails area an important component of a bicycle and pedestrian transportation system, because they can provide a high quality walking and bicycling experience in an environment that is protected from

A-033

traffic. Generally shared-use paths should be a minimum of ten (10") feet wide and paved".

9. A portion of the future Brambelton Community County Park will be located on a section of the Brambelton Regional Park (Northern Virginia Regional Park Authority) southwest of the site. This active/sportsplex recreational facility will be programmed to hold local, regional and national championship tournaments, in addition to league play. It should be noted that all fields will be lighted to allow for seasonal and tournament play. PRCS will make every effort to be a good neighbor in the surrounding community; however the Applicant should make it clear to a potential homeowner the possible impact of a facility of this nature.
10. Brambelton Community County Park is planned to include, two (2) football fields, one (1) soccer field, four (4) softball fields and two (2) baseball fields. However, proffered improvements provide for only grading, seeding, goal post and /or backstop and home plate, according to the type of fields. Parking, lighting, irrigation, fencing (baseball, softball outfields and perimeter/site), bleachers, restrooms, concession, storage facilities and utilities are not included in the original proffer and therefore, become the responsibility of the County. The Park is on schedule to be dedicated to the County late fall of 2006; however, without at least parking and fencing, it will not be accessible to the public. PRCS request the Applicant provide meaningful contributions that will benefit and complete elements of the facilities for public use. PRCS is available to meet with the Applicant and Planning Department to discuss and evaluate the necessary improvements that benefit and completes the facilities for public use.
11. The Applicant has indicated that a portion of land has been withheld from the rezoning application so it might be made available to Mt. Hope Baptist Church to accommodate their expansion plans for the church. Please identify on the concept development plan that portion of land.

#### **RECOMMENDATIONS:**

PRCS has identified above, issues that require more information to complete the review of this application. At this time PRCS can not support this application for approval.

A-034

ZMAP 2005-0024  
Belmont Overlook  
October 28, 2005  
Page 5 of 5

Please contact me personally if I can be of further assistance. I'm available and look forward to attend any meetings or sessions to offer our support or to be notified of any further information regarding this project. I can be reached at 703-737-8992.

A-035



**COUNTY OF LOUDOUN  
PARKS, RECREATION AND COMMUNITY SERVICES  
REFERRAL MEMORANDUM**

**To:** Mike Elabarger, Project Manager, Planning Department **(MSC #62)**  
**From:** Brian G. Fuller, Park Planner, Facilities Planning and Development **(MSC 78)**  
**Through:** Mark A. Novak, Chief Park Planner, Facilities Planning and Development  
**CC:** Diane Ryburn, Director  
Steve Torpy, Assistant Director  
Su Webb, Park Board, Chairman  
Jim Bonfils, Park Board, Dulles District  
**Date:** May 9, 2007

**Subject:** ZMAP 2005-0024 Belmont Overlook (Reactivation)  
**Election District:** Dulles **Sub Planning Area:** Ashburn  
**MCPI #** 157-48-8152, 157-45-8611, 157-36-2868, and 157-36-4725

**BACKGROUND:**

The Property is located along the west side of Route 659 (Belmont Ridge Road), south Route 625 (Waxpool Road) and on both sides of Route 646 (Alford Road). The Property consists of four (4) parcels, totaling approximately 40 acres, located in the Ashburn Community within the Suburban Policy Area and Dulles Election District. The property is currently zoned R-1 (Single Family Residential-1). A portion of the Property includes the site of a telecommunications tower approved under CMPT 2001-0026 and SPEX 2001-0023. The Applicant proposes develop the Property as a residential community consisting of 145 single-family attached units (including 19 ADUs) at a density of 3.7 units per acre. To support this program, the applicant seeks to rezone the Property from R-1 to PDH-4 (administered as R-8) in accordance with the provisions of the 1993 Loudoun County Zoning Ordinance. In addition, the Applicant seeks zoning modifications for private streets.

**POLICY:**

The site is governed under the land use policies in the Revised General Plan, the Loudoun County Bicycle and Pedestrian Mobility Master Plan, and the Revised Countywide Transportation Plan (Revised CTP). The subject site is located within the Ashburn Community within the Suburban Policy Area. The Planned Land Use Map adopted with the Revised General Plan designates the subject site area as Residential.

A-036

## PROJECT ANALYSIS:

The application is a "reactivation" of ZMAP 2005-0024, to which previous comments were submitted, dated October 28, 2005. The Applicant has made several revisions to the project, and now proposes to develop the Property as a residential community consisting of 145 single-family attached units (town homes and quadruples units), at a density of 3.7 dwellings units per acre. The Applicant states, an extensive pedestrian walkway system links the residential units with open space and recreational amenities provided throughout the Property. The Applicant further states, approximately 50% of the Property will be maintained as open space, and will enhance the aesthetics of the community. The Applicant is also making a portion of its Property available to the Mt. Hope Baptist Church to accommodate the expansion of the church use.

## COMMENTS:

With respect to Parks, Recreation and Community Services we offer the following comments and recommendations:

1. This project adds 145 single-family attached residential units to the Dulles District, and offers no contribution to public recreation. The Ashburn Area is presently experiencing, and will continue to experience significant residential development. Additional development from new rezoning and by-right developments will place recreational facilities in further jeopardy from a capacity perspective. Developers of other subarea residential projects indicate in their applications that the area is supported by existing and planned public facilities. However, residents from both by-right and rezoned subdivisions add a significant demand on existing recreation facilities which make it difficult to keep pace with respective service demands. This application alone will have an immediate impact on existing and planned public recreational facilities in the area. The Applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the recreational and leisure needs of these new residents will be met without further taxing the existing public recreational facilities in eastern Loudoun.
2. In conjunction with Comment 1, the Property is in close proximity to Edgar Tillet Memorial Park, a future park in the Brambleton community, and the future Broadlands Recreation Center. PRCS suggests that the Applicant provide a cash contribution earmarked toward the further development of these PRCS public recreational facilities.
3. The Revised Countywide Transportation Plan (CTP) identifies Belmont Ridge Road (Rt. 659) as a priority bicycle route along roadways. The CTP further identifies Belmont Ridge Road (Rt. 659) ultimate design conditions as, a 6 (six) lane/120-foot ROW, and states ***bicycle accommodations must be considered in design and may require additional right-of-way***. In addition, The Loudoun County Bicycle and Pedestrian Mobility Master Plan (BPMMP), Chapter 4(B), Land Development, Land Development Policy 6; *All land development applications shall provide bicycle and pedestrian access*

A-037

*through the development in various directions, so as to prevent it from becoming a barrier between other trip origins and destinations in the community.”* PRCS recommends that the proposed 8' asphalt trail on the CDP be revised to a 10-foot wide, paved shared bicycle/pedestrian path along Belmont Ridge Road (Route 659).

4. The Concept Development Plan proposes several “Playground / Sports Courts / Picnic Sites” around the Property. PRCS requests clarification and additional detailed information on the proposed uses and amenities within these recreational areas.
5. It appears that the Concept Plan shows potential impacts to wetlands. The applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the potential impact to wetlands will be mitigated.
6. It appears that the Applicant is proposing to place the remaining portions of wetlands within open space. Staff recommends that the open space have a Resource Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural, open space area. The management plan should also address how watershed protection is to be applied to ensure a healthy stream, diverse aquatic life, stable stream banks, and vibrant native vegetation. In addition, the management plan may also include opportunities and requirements for stream restoration.
7. PRCS strongly supports any efforts to protect and preserve wetlands, trees, and native vegetation because these contribute directly to protecting the health of surface water, groundwater, air quality, and aesthetics – all of which contribute to the health of the community’s residents. Staff recommends that any substantial “tree save” area has a Forest Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural area. The management plan should address how multiple layers – overstory, understory, shrub and herbaceous layers – will be maintained to ensure the health and functionality of the vegetated open space.

#### **RECOMMENDATIONS:**

PRCS has identified above, outstanding issues that require additional information to complete the review of this application.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at [brian.fuller@loudoun.gov](mailto:brian.fuller@loudoun.gov). You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at [mark.novak@loudoun.gov](mailto:mark.novak@loudoun.gov). I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

A-038



**COUNTY OF LOUDOUN  
PARKS, RECREATION AND COMMUNITY SERVICES  
REFERRAL MEMORANDUM**

**To:** Mike Elabarger, Project Manager, Planning Department **(MSC #62)**  
**From:** Brian G. Fuller, Park Planner, Facilities Planning and Development **(MSC #78)**  
**Through:** Mark A. Novak, Chief Park Planner, Facilities Planning and Development  
**CC:** Diane Ryburn, Director  
Steve Torpy, Assistant Director  
Su Webb, Park Board, Chairman  
Jim Bonfils, Park Board, Dulles District  
**Date:** November 14, 2007  
**Subject:** ZMAP 2005-0024 Belmont Overlook (Reactivation)  
2<sup>nd</sup> Submission  
**Election District:** Dulles **Sub Planning Area:** Ashburn  
**MCPI #** 157-48-8152, 157-45-8611, 157-36-2868, and 157-36-4725

**BACKGROUND AND ANALYSIS:**

The Property is located along the west side of Route 659 (Belmont Ridge Road), south Route 625 (Waxpool Road) and on both sides of Route 646 (Alford Road). The Property consists of four (4) parcels, totaling approximately 40 acres, located in the Ashburn Community within the Suburban Policy Area and Dulles Election District. The property is currently zoned R-1 (Single Family Residential-1). A portion of the Property includes the site of a telecommunications tower approved under CMPT 2001-0026 and SPEX 2001-0023. The Applicant proposes develop the Property as a residential community consisting of 145 single-family attached units (including 19 ADUs) at a density of 3.7 units per acre. To support this program, the Applicant seeks to rezone the Property from R-1 to PDH-4 (administered as R-8) in accordance with the provisions of the 1993 Loudoun County Zoning Ordinance. In addition, the Applicant seeks zoning modifications for private streets.

The application is a "reactivation" of ZMAP 2005-0024, to which previous comments were submitted, dated October 28, 2005. The Applicant states, an extensive pedestrian walkway system links the residential units with open space and recreational amenities provided throughout the Property. The Applicant further states, approximately 50% of the Property will be maintained as open space, and will enhance the aesthetics of the community. The Applicant is also making a portion of its Property available to the Mt. Hope Baptist Church to accommodate the expansion of the church use.

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## **COMMENTS:**

With respect to Parks, Recreation and Community Services we offer the following comments and recommendations:

1. This project adds 145 single-family attached residential units to the Dulles District, and offers no contribution to public recreation. The Ashburn Area is presently experiencing, and will continue to experience significant residential development. Additional development from new rezoning and by-right developments will place recreational facilities in further jeopardy from a capacity perspective. Developers of other subarea residential projects indicate in their applications that the area is supported by existing and planned public facilities. However, residents from both by-right and rezoned subdivisions add a significant demand on existing recreation facilities which make it difficult to keep pace with respective service demands. This application alone will have an immediate impact on existing and planned public recreational facilities in the area. The Applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the recreational and leisure needs of these new residents will be met without further taxing the existing public recreational facilities in eastern Loudoun.

*Applicant Response:* *The Applicant has proffered onsite playgrounds and sports courts, as well as picnic sites and gazebos, for the residents of the planned community. Please see Proffer III.*

**Issue Status:** PRCS appreciates the Applicant's contribution to the immediate community recreation needs of the future residents of this application. However, Staff still notes that these onsite amenities will not completely satisfy the recreational needs of the future residents of this project. The proposed onsite amenities will not completely mitigate the potential impact on existing public recreational facilities.

2. In conjunction with Comment 1, the Property is in close proximity to Edgar Tillet Memorial Park, a future park in the Brambleton community, and the future Broadlands Recreation Center. PRCS suggests that the Applicant provide a cash contribution earmarked toward the further development of these PRCS public recreational facilities.

*Applicant Response:* *As noted above, the Applicant has proffered onsite recreational amenities that address the zoning ordinance recreation space requirements and that will serve to offset the reliance of the future residents on public facilities. In addition, the Applicant has proffered a capital facilities contribution in accordance with County policies to mitigate the anticipated public impacts of the proposed community.*

**Issue Status:** In conjunction with Staff's response to Comment 1, the proposed onsite amenities will not satisfactorily offset the reliance of the future residents on public facilities. Future residents will require usage of public athletic fields, recreational and community centers, hiking trails, etc. Therefore, PRCS recommends that the Applicant proffer to further develop

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existing public recreational facilities within a 1-mile radius of the project area. These improvements could include, but would not be limited to, the construction of a concession/restroom facility at Edgar Tillet Memorial Park, two concession/restroom facilities at the future Brambleton ballfield complex, outfield fencing on the baseball/softball fields at Brambleton, and ballfield lighting at Brambleton.

3. The Revised Countywide Transportation Plan (CTP) identifies Belmont Ridge Road (Rt. 659) as a priority bicycle route along roadways. The CTP further identifies Belmont Ridge Road (Rt. 659) ultimate design conditions as, a 6 (six) lane/120-foot ROW, and states ***bicycle accommodations must be considered in design and may require additional right-of-way***. In addition, The Loudoun County Bicycle and Pedestrian Mobility Master Plan (BPMMP), Chapter 4(B), Land Development, Land Development Policy 6; ***"All land development applications shall provide bicycle and pedestrian access through the development in various directions, so as to prevent it from becoming a barrier between other trip origins and destinations in the community."*** PRCS recommends that the proposed 8' asphalt trail on the CDP be revised to a 10-foot wide, paved shared bicycle/pedestrian path along Belmont Ridge Road (Route 659).

**Applicant Response:** *The CDP has been revised to provide a 10-foot trail along Belmont Ridge Road (Route 659).*

**Issue Status:** **Resolved.**

4. The Concept Development Plan proposes several "Playground / Sports Courts / Picnic Sites" around the Property. PRCS requests clarification and additional detailed information on the proposed uses and amenities within these recreational areas.

**Applicant Response:** *Details on the required active recreation amenities will be provided at the time of site plan.*

**Issue Status:** As part of the planning for the overall recreational needs for the citizens of the County, PRCS tracks all of the existing and planned public and private recreational amenities within the County. PRCS notes that most rezoning applications list specific uses and/or equipment to be proffered. Staff would appreciate more information about the specific uses and amenities within the recreational areas. Which types of play apparatuses will be included in the playgrounds? Will the picnic areas include pavilions? These need to be included in the proffers.

5. It appears that the Concept Plan shows potential impacts to wetlands. The applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the potential impact to wetlands will be mitigated.

**Applicant Response:** *Wetland mitigation will be addressed through the COE permitting process.*

**A-041**

**Issue Status: Resolved.**

6. It appears that the Applicant is proposing to place the remaining portions of wetlands within open space. Staff recommends that the open space have a Resource Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural, open space area. The management plan should also address how watershed protection is to be applied to ensure a healthy stream, diverse aquatic life, stable stream banks, and vibrant native vegetation. In addition, the management plan may also include opportunities and requirements for stream restoration.

Applicant Response: *Wetland mitigation will be addressed through the COE permitting process.*

**Issue Status: Response noted. However, Staff notes that wetland mitigation through the COE process is different than providing a separate resource management plan for the use of the future HOA.**

7. PRCS strongly supports any efforts to protect and preserve wetlands, trees, and native vegetation because these contribute directly to protecting the health of surface water, groundwater, air quality, and aesthetics – all of which contribute to the health of the community's residents. Staff recommends that any substantial "tree save" area has a Forest Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural area. The management plan should address how multiple layers – overstory, understory, shrub and herbaceous layers – will be maintained to ensure the health and functionality of the vegetated open space.

Applicant Response: *The Applicant's commitment to tree conservation is provided in Proffer VII.A.*

**Issue Status: Resolved.**

**CONCLUSION:**

There are still outstanding issues that require additional information to complete the review of this application, specifically Comments 1, 2, 4 and 6. Once these issues have been satisfactorily addressed, PRCS would not be in objection to a favorable recommendation on this application as presented.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at [brian.fuller@loudoun.gov](mailto:brian.fuller@loudoun.gov). You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at [mark.novak@loudoun.gov](mailto:mark.novak@loudoun.gov). I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

A.042



**COUNTY OF LOUDOUN  
PARKS, RECREATION AND COMMUNITY SERVICES  
REFERRAL MEMORANDUM**

**To:** Mike Elabarger, Project Manager, Planning Department **(MSC #62)**  
**From:** Brian G. Fuller, Park Planner, Facilities Planning and Development  
**(MSC #78)**  
**Through:** Mark A. Novak, Chief Park Planner, Facilities Planning and Development  
**CC:** Diane Ryburn, Director  
Steve Torpy, Assistant Director  
**Date:** March 7, 2008  
**Subject:** **ZMAP 2005-0024 Belmont Overlook (Reactivation)**  
**3<sup>rd</sup> Submission**  
**Election District:** Dulles **Sub Planning Area:** Ashburn  
**MCPI #** 157-48-8152, 157-45-8611, 157-36-2868, and 157-36-4725

**BACKGROUND AND ANALYSIS:**

The Property is located along the west side of Route 659 (Belmont Ridge Road), south Route 625 (Waxpool Road) and on both sides of Route 646 (Alford Road). The Property consists of four (4) parcels, totaling approximately 40 acres, located in the Ashburn Community within the Suburban Policy Area and Dulles Election District. The property is currently zoned R-1 (Single Family Residential-1). A portion of the Property includes the site of a telecommunications tower approved under CMPT 2001-0026 and SPEX 2001-0023. The Applicant proposes develop the Property as a residential community consisting of 145 single-family attached units (including 19 ADUs) at a density of 3.7 units per acre. To support this program, the Applicant seeks to rezone the Property from R-1 to PDH-4 (administered as R-8) in accordance with the provisions of the 1993 Loudoun County Zoning Ordinance. In addition, the Applicant seeks zoning modifications for private streets.

The application is a "reactivation" of ZMAP 2005-0024, to which previous comments were submitted, dated October 28, 2005. The Applicant states, an extensive pedestrian walkway system links the residential units with open space and recreational amenities provided throughout the Property. The Applicant further states, approximately 50% of the Property will be maintained as open space, and will enhance the aesthetics of the community. The Applicant is also making a portion of its Property available to the Mt. Hope Baptist Church to accommodate the expansion of the church use.

A-042.1

## **COMMENTS:**

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's responses dated February 21, 2008 to referral comments dated November 14, 2007, the revised proffer statement dated February 21, 2008, and the revised Zoning Concept Plan Amendment (ZCPA) Plat dated February 21, 2008. The following is a summary of the current status of comments identified by the Department of Parks, Recreation and Community Services (PRCS), dated November 14, 2007:

1. This project adds 145 single-family attached residential units to the Dulles District, and offers no contribution to public recreation. The Ashburn Area is presently experiencing, and will continue to experience significant residential development. Additional development from new rezoning and by-right developments will place recreational facilities in further jeopardy from a capacity perspective. Developers of other subarea residential projects indicate in their applications that the area is supported by existing and planned public facilities. However, residents from both by-right and rezoned subdivisions add a significant demand on existing recreation facilities which make it difficult to keep pace with respective service demands. This application alone will have an immediate impact on existing and planned public recreational facilities in the area. The Applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the recreational and leisure needs of these new residents will be met without further taxing the existing public recreational facilities in eastern Loudoun.

*Applicant Response:* *The Applicant has proffered onsite playgrounds and sports courts, as well as picnic sites and gazebos, for the residents of the planned community. Please see Proffer III.*

**Issue Status:** PRCS appreciates the Applicant's contribution to the immediate community recreation needs of the future residents of this application. However, Staff still notes that these onsite amenities will not completely satisfy the recreational needs of the future residents of this project. The proposed onsite amenities will not completely mitigate the potential impact on existing public recreational facilities.

*Applicant Response:* *In addition to the onsite recreational amenities, the Applicant has also proffered a capital facilities contribution that can be used by the County to enhance public recreational facilities.*

**Issue Status:** Response acknowledged. However, Staff notes that the proffered capital facilities contribution may not adequately offset the impact to public recreation facilities caused by this application.

A-042.2

2. In conjunction with Comment 1, the Property is in close proximity to Edgar Tillet Memorial Park, a future park in the Brambleton community, and the future Broadlands Recreation Center. PRCS suggests that the Applicant provide a cash contribution earmarked toward the further development of these PRCS public recreational facilities.

Applicant Response: As noted above, the Applicant has proffered onsite recreational amenities that address the zoning ordinance recreation space requirements and that will serve to offset the reliance of the future residents on public facilities. In addition, the Applicant has proffered a capital facilities contribution in accordance with County policies to mitigate the anticipated public impacts of the proposed community.

Issue Status: In conjunction with Staff's response to Comment 1, the proposed onsite amenities will not satisfactorily offset the reliance of the future residents on public facilities. Future residents will require usage of public athletic fields, recreational and community centers, hiking trails, etc. Therefore, PRCS recommends that the Applicant proffer to further develop existing public recreational facilities within a 1-mile radius of the project area. These improvements could include, but would not be limited to, the construction of a concession/restroom facility at Edgar Tillet Memorial Park, two concession/restroom facilities at the future Brambleton ballfield complex, outfield fencing on the baseball/softball fields at Brambleton, and ballfield lighting at Brambleton.

Applicant Response: As noted above, the Applicant's capital facilities contribution may be used by the County for such improvements.

Issue Status: Response acknowledged. However, Staff notes that the proffered capital facilities contribution may not adequately offset the impact to public recreation facilities caused by this application.

3. The Revised Countywide Transportation Plan (CTP) identifies Belmont Ridge Road (Rt. 659) as a priority bicycle route along roadways. The CTP further identifies Belmont Ridge Road (Rt. 659) ultimate design conditions as, a 6 (six) lane/120-foot ROW, and states ***bicycle accommodations must be considered in design and may require additional right-of-way***. In addition, The Loudoun County Bicycle and Pedestrian Mobility Master Plan (BPMMP), Chapter 4(B), Land Development, Land Development Policy 6; "All land development applications shall provide bicycle and pedestrian access through the development in various directions, so as to prevent it from becoming a barrier between other trip origins and destinations in the community." PRCS recommends that the proposed 8' asphalt trail on the

A-042.3

CDP be revised to a 10-foot wide, paved shared bicycle/pedestrian path along Belmont Ridge Road (Route 659).

*Applicant Response:* *The CDP has been revised to provide a 10-foot trail along Belmont Ridge Road (Route 659).*

**Issue Status: Resolved.**

4. The Concept Development Plan proposes several "Playground / Sports Courts / Picnic Sites" around the Property. PRCS requests clarification and additional detailed information on the proposed uses and amenities within these recreational areas.

*Applicant Response:* *Details on the required active recreation amenities will be provided at the time of site plan.*

**Issue Status:** As part of the planning for the overall recreational needs for the citizens of the County, PRCS tracks all of the existing and planned public and private recreational amenities within the County. PRCS notes that most rezoning applications list specific uses and/or equipment to be proffered. Staff would appreciate more information about the specific uses and amenities within the recreational areas. Which types of play apparatuses will be included in the playgrounds? Will the picnic areas include pavilions? These need to be included in the proffers.

*Applicant Response:* *The details of the private recreational amenities will be known at the time of site plan review and such information will be available to PRCS.*

**Issue Status:** Response acknowledged. Staff requests the opportunity to review all future applications on the subject properties.

5. It appears that the Concept Plan shows potential impacts to wetlands. The applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the potential impact to wetlands will be mitigated.

*Applicant Response:* *Wetland mitigation will be addressed through the COE permitting process.*

**Issue Status: Resolved.**

A-042.4

6. It appears that the Applicant is proposing to place the remaining portions of wetlands within open space. Staff recommends that the open space have a Resource Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural, open space area. The management plan should also address how watershed protection is to be applied to ensure a healthy stream, diverse aquatic life, stable stream banks, and vibrant native vegetation. In addition, the management plan may also include opportunities and requirements for stream restoration.

*Applicant Response:* *Wetland mitigation will be addressed through the COE permitting process.*

**Issue Status:** Response noted. However, Staff notes that wetland mitigation through the COE process is different than providing a separate resource management plan for the use by the future HOA.

*Applicant Response:* *Compliance with the approved wetland permits, and with the approved proffers and the approved CDP regarding all common open space areas, will be the responsibility of the HOA.*

**Issue Status:** Response acknowledged. However, Staff notes that HOAs and their management companies and contractors are typically ill-equipped to properly preserve and manage natural open space. Staff still recommends providing a resource management plan for use by the future HOA.

7. PRCS strongly supports any efforts to protect and preserve wetlands, trees, and native vegetation because these contribute directly to protecting the health of surface water, groundwater, air quality, and aesthetics – all of which contribute to the health of the community's residents. Staff recommends that any substantial "tree save" area has a Forest Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural area. The management plan should address how multiple layers – overstory, understory, shrub and herbaceous layers – will be maintained to ensure the health and functionality of the vegetated open space.

*Applicant Response:* *The Applicant's commitment to tree conservation is provided in Proffer VII.A.*

**Issue Status:** Resolved.

A-042.5

**CONCLUSION:**

PRCS Staff acknowledges the Applicant's comment responses, and does not object to approval of the application. However, PRCS is still concerned with the project's impact to public recreation facilities and the natural environment adjacent to the Beaverdam Reservoir and Goose Creek corridor. Staff recommends that the Applicant take every necessary effort to mitigate their developmental impacts.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at [brian.fuller@loudoun.gov](mailto:brian.fuller@loudoun.gov). You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at [mark.novak@loudoun.gov](mailto:mark.novak@loudoun.gov). I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

A-042.6



**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** October 7, 2005  
**TO:** Jason Rogers, Project Manager  
**FROM:** Heidi Siebentritt, Community Information and Outreach

**SUBJECT:** ZMAP 2004-0024 Belmont Overlook

Staff has reviewed the submitted Phase 1 archaeological report for the subject properties totaling approximately 40 acres. The properties are located along the east side of Belmont Ridge Road (Route 659), south of Waxpool Road, (Route 625). The report was prepared by Thunderbird Archaeology in March 2005.

No archaeological resources were identified during testing of the four subject parcels comprising the proposed project area. Five structures are present within the project area. These structures include a ca. 1960 dwelling and outstructures. These structures are not considered eligible for listing in the National Register of Historic Places. No additional work is recommended for the subject properties.

Staff has no issues with the consultant's findings and recommendation.

**A-043**